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UNITED STATES MARINE CORPS  
MARINE CORPS BASES, JAPAN  
COMUSMACV, BUTLER, OKINAWA  
UNITED STATES  
FPO AP 96373-5001

MARCORBASESJAPANO P11240.1B

27

11 Oct 94

## MARINE CORPS BASES JAPAN ORDER P11240.1B

From: Commander  
To: Distribution List  
Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

Ref: (a) MCO 5110.1C  
(b) COMNAVFORJAPANINST 5800.9N  
(c) U.S. Navy Regulations, 1973  
(d) COMNAVFORJAPANINST 5800.37C  
(e) Mutual Treaty between the U.S. and Japan (SOFA) (NOTAL)  
(f) Japanese Road Traffic Law Number 105 (NOTAL)  
(g) Uniform Vehicle Code and Model Traffic Ordinance (NOTAL)  
(h) GOJ Transportation Ordinance 67 (NOTAL)  
(i) USFJPL 125-2 of 15 Jun 1986 (NOTAL)  
(j) USFJPL 125-4 of 1 Nov 1985 (NOTAL)  
(k) USFJPL 125-12 of 1 Aug 1985 (NOTAL)  
(l) USFJ Letter J-4 of 22 Dec 1977 (NOTAL)  
(m) Interservice Support Agreements No. M67400-87130-011/  
80080-013 (NOTAL)  
(n) DoD Directive 1010.7 (NOTAL)

Encl: (1) LOCATOR SHEET

1. Purpose. To publish policies and procedures pertaining to the registration of privately owned motor vehicles and those of quasi-official agencies of the United States Forces Japan (USFJ) stationed on Okinawa in accordance with the references. To provide implementing instructions for a uniform code for vehicle operation and control pursuant to reference (a) and a traffic point system in accordance with reference (b). To establish policy, responsibilities and procedures for Marine Corps Motor Vehicle Traffic Supervision within Okinawa Prefecture, Japan in accordance with references (a) through (m). Reference (n) establishes DoD Policy regarding drunken and drugged driving by DoD personnel.
2. Cancellation. MARCORBASESJAPANO P11240.1A.
3. Enforcement. This Manual is punitive in nature. Any violation of the provisions thereof could result in judicial, nonjudicial and/or administrative action, as deemed appropriate.
4. Applicability. This Manual is applicable to:
  - a. All Marine Corps active duty personnel, their dependents,

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DoD civilian employees and their dependents operating privately or government owned motor vehicles on or off Marine Corps bases on Okinawa.

b. All other U.S. Forces Japan personnel operating privately or government owned vehicles within the area of responsibility assigned to the Commanding General, Marine Corps Base, Camp Smedley D. Butler per reference (d).

c. All Japanese National employees of Marine Corps Bases, Japan on Okinawa operating government owned vehicles on and off Marine Corps Base, Camp Smedley D. Butler.

d. All other Japanese National employees of U.S. Forces Japan operating privately or government owned vehicles on Marine Corps Base, Camp Smedley D. Butler.

e. All U.S. Forces Japan personnel and Japanese National employees for the purpose of registration, licensing, control, and inspection of privately owned/commercial vehicles and vehicles of quasi-official agencies of the U.S. Forces Japan as required.

5. Action. All U.S. Forces Japan personnel assigned to Marine Corps Bases on Okinawa and Japanese National employees of Marine Corps Bases on Okinawa are charged with responsibility for the knowledge of, and compliance with, the provisions of this Manual, and the applicable traffic laws of Okinawa Prefecture, Japan.

6. Recommendations. Recommendations concerning the contents of this Manual are invited, and should be submitted to the Provost Marshal via the chain of command.

7. All Service Concurrence. Consolidation of a Joint Services Vehicle Registration Office in the Camp Foster Area under the management of Commanding General, Marine Corps Base, Camp Smedley D. Butler was established by reference (m).

8. Summary of revision. This Manual has been revised with changes made throughout. The major modifications are as follows:

a. Paragraph 0004.58. New paragraph adding definition of "handicapped."

b. Paragraph 0004.59. New paragraph adding definition of "radar detection devices."

c. Paragraph 1001. New paragraph providing regulations for handicapped parking and issuance of handicapped decals and placards.

d. Paragraph 1020. Revised to allow ten working days for individuals whose driving privileges are revoked to deregister their motor vehicles.

e. Paragraph 1024. Revised procedures for disposition of vehicles on which powers of attorney have expired.

f. Paragraph 3002.2. Revised to include unit commanders' authority to suspend or revoke driving privileges.

g. Paragraph 3002.3b. Revised to allow the Traffic Court Officer to suspend driving privileges when an individual accumulates 18 points in any 24 month period.

h. Paragraph 3002.10. New paragraph providing for the adjudication of black market traffic court cases.

i. Paragraph 4004. Revised to update times and days for convening of Traffic Court.

j. Paragraph 5007. Revised to change the punishment for failing to appear at Traffic Court from an automatic 90 day suspension to equate to an entered plea of guilty to the charged offense.

k. Paragraph 5007.2. Revised criteria for immediate impounds of motor vehicles.

l. Paragraph 5012. Revised to clearly authorize the use of U.S. Government wreckers to assist in vehicle impounds.

m. Paragraph 6004.3. Revised to allow for operation of emergency vehicles with the use of audible and/or visual signals vice requiring the use of both.

n. Paragraph 6026. Revised to require all vehicular traffic to yield to emergency vehicles using audible or visual signals vice requiring the use of both.

o. Paragraph 6059. Revised to make speeding in excess of 35 KPH (21 MPH) automatically chargeable as reckless driving.

p. Paragraph 6067.4. New paragraph prohibiting parking in spaces designated as handicapped parking unless operator possesses proof of disability.

q. Paragraph 6067.5. New paragraph prohibiting parking in any area other than designated parking spaces, except at special events.

r. Paragraph 6085.2. Revised to comply with Marine Corps Order on requirements of eye protection for operators and passengers of motorcycles.

s. Paragraph 6101. New paragraph prohibiting open alcohol containers in motor vehicles for operators and passengers.

t. Paragraph 6078. New paragraph prohibiting littering.

u. Paragraph 7022. New paragraph prohibiting the possession/  
use of radar detection devices for all personnel operating motor  
vehicles on military installations.

v. Chapter 6. Has been reorganized in order to facilitate  
ease in locating regulations pertaining to bicycles, jogging,  
pedestrians, roller skates, and skateboards.

9. Certification. Reviewed and approved this date.



K. H. STIVERS  
Deputy Chief of Staff

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LOCATOR SHEET

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

Location: \_\_\_\_\_  
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ENCLOSURE (1)

# MOTOR VEHICLE TRAFFIC SUPERVISION

## RECORD OF CHANGES

Log completed change action as indicated.

Change Number	Date of Change	Date Entered	Signature of Person Incorporated Change

# MOTOR VEHICLE TRAFFIC SUPERVISION

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# MOTOR VEHICLE TRAFFIC SUPERVISIONS

## INTRODUCTION

0001. AUTHORITY. The authority for motor vehicle traffic supervision by the Commander, Marine Corps Bases, Japan, is derived from OPNAVINST 11200.5C, MCO 5110.1, U.S. Navy Regulations, 1973, and COMNAVFORJAPANINST 5800.9 for off-base traffic supervision. This authority is delegated to the Commanding General, Marine Corps Base, Camp Smedley D. Butler.

0002. POLICY. The principal objective of this Manual is to assure the safe and efficient movement of vehicles, material, and personnel to destinations over streets and highways on Okinawa. The goal of motor vehicle traffic supervision is to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom. United States Forces Japan (USFJ) personnel are subject to the traffic laws of Japan while operating motor vehicles outside the boundaries of U.S. Military installations. Personnel violating the traffic laws of Japan off-base may be apprehended by Japanese Law Enforcement personnel and given summary fines or referred to the Japanese court system for prosecution and trial. When Japanese authorities waive their criminal jurisdiction and the offender is subject to the Uniform Code of Military Justice (USMJ), U.S. authorities may take disciplinary action in addition to action under the provisions of this Manual. If Japanese authorities do not waive their jurisdiction, U.S. Forces Japan personnel are subject to administrative action under the provisions of this Manual. U.S. Forces Japan personnel are subject to administrative action under the provisions of this Manual whether Japanese authorities elect to exercise their jurisdiction or not.

### 0003. RESPONSIBILITIES

1. Commanding General, Marine Corps Base, Camp Smedley D. Butler. The Commanding General, Marine Corps Base, Camp Smedley D. Butler is responsible for implementation and coordination of the provisions of this Manual, and to discharge these responsibilities, has designated the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler with overall staff responsibility for motor vehicle traffic supervision. Specific responsibilities are assigned in succeeding paragraphs.

2. Provost Marshal, Marine Corps Base. The Provost Marshal, in addition to overall responsibility, is further tasked with:

a. Standardization of traffic enforcement policies and procedures throughout Marine Corps activities on Okinawa.

b. Coordinating traffic enforcement activities with other services, interested staff agencies, and Japanese Law Enforcement authorities.

## MOTOR VEHICLE TRAFFIC SUPERVISION

c. Authorizing and coordinating the placement on base of all signs, signals, and markings consistent with this Manual for the purpose of regulating, warning or guiding traffic.

d. Advising and informing Camp/Station Commanders on traffic problems and activities.

e. Coordination and liaison with the Marine Corps Base Safety Manager in all matters involving vehicle safety.

f. Coordination and liaison with Government of Japan Officials within the Okinawa Prefectural Land Transportation Office pertaining to the registration of motor vehicles owned by USFJ personnel.

3. Safety Director, Marine Corps Base. The Safety Director is tasked with:

a. Establishing and presenting safety orientation courses and lectures on driving in Japan, and ensuring that all applicants for operator's permits are fully instructed in the applicable laws and regulations.

b. Establishing and operating a remedial driver training course to instruct problem drivers. Selection of personnel to attend the course of instruction shall be based on the individuals' overall driving record and/or accumulation of traffic points as set forth in this Manual. Course curriculum should provide for a minimum of eight hours of instruction designed to improve driver efficiency and attitude toward compliance with traffic laws and requirements.

4. Camp/Station Commanders. Camp/Station Commanders are tasked with:

a. Establishing and controlling on-base parking pursuant to reference (a), in coordination with the Provost Marshal.

b. Ensuring that the provisions of this Manual are brought to the attention of, and thoroughly understood by, all assigned or attached personnel within 10 working days of their arrival. Further, that a copy of this Manual is current and readily available to all personnel.

5. Senior Member Embarked. It is the duty of the service member present in any vehicle owned by the U.S. Government or an instrumentality thereof to observe the driving practices of the driver and to prohibit violations of this Manual. Additionally, the senior service member embarked will prohibit passenger behavior which may cast discredit upon the U.S. Forces, Japan, or which may be in violation of articles of the Uniform Code of Military Justice, other applicable rules, regulations or orders, or the law of Japan. This in no way relieves the driver of their responsibility for the legal operation of the vehicle.

## MOTOR VEHICLE TRAFFIC SUPERVISION

0004. DEFINITION OF WORDS AND PHRASES. The following words and phrases when used in this Manual shall have the meanings described below, except when the context otherwise requires.

1. Alley. A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purposes of through traffic.

2. Authorized Emergency Vehicle. Emergency vehicles are Fire Department vehicles, police vehicles, and ambulances which are government vehicles, and such other publicly or privately owned vehicles as are designated by the Commanding General, Marine Corps Base, Camp Smedley D. Butler.

3. Bicycles. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 14 inches in diameter.

4. Bus. Every motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons; and every motor vehicle other than a taxicab, designed and used for the transportation of persons for compensation.

5. Bus Lane. A traffic lane specifically designated by markings as either a "bus priority lane" or a "bus exclusive lane."

6. Commanding General. The Commanding General, Marine Corps Base, Camp Smedley D. Butler.

7. Controlled-Access Highway. Every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only, and in such manner, as may be determined by the authority having jurisdiction over such highway, street, or roadway.

8. Crosswalks

a. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalk on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway.

b. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

9. Driver/Operator. Every person who drives or is in actual physical control of a motor vehicle.

10. Driver's License/Operator's Permit. Any license to operate a motor vehicle issued under the provisions of this Manual.

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11. Drunk. Any intoxication, whether caused by alcoholic beverages, narcotics, or drugs, which is sufficient to impair the rational and full exercise of mental or physical faculties of a person.
12. Essential Parts of a Vehicle. All integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.
13. Explosives. Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonation of any part of the compound or gases results in gaseous pressures capable of producing destructive effects on contiguous objects or destroying life or limb.
14. Flammable Liquid. Any liquid which has a flash point of 70°F or less as determined by a TAGLIABUE or equivalent closed-cup test device.
15. Highway. The entire width between the boundary lines of every roadway publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
16. Identifying Number. The numbers and letters, if any, on a vehicle designated for the purpose of identifying the vehicle.
17. In Actual Physical Control. A term utilized in establishing one of the elements of Driving Under the Influence (DUI). This element is satisfied when a suspect has been found to be in a position to control the movement of a vehicle, whether actually doing so or not. Possession of necessary starting device, e.g., keys, and reasonable proximity to the motor vehicle shall constitute actual physical control.
18. Installation/Base. All U.S. Marine Corps and Naval Installations, if any, under the jurisdiction of the Commanding General, Marine Corps Base, Camp Smedley D. Butler.
19. Intersection
  - a. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

## MOTOR VEHICLE TRAFFIC SUPERVISION

b. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

20. Laned Roadway. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

21. Motor Vehicle. Every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved solely by human power.

22. Motor Vehicle Accident. Any accident involving a motor vehicle in motion that results in injuries or property damage.

23. Motorcycle. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

24. Motor Driven Cycle. Every motorcycle, motor scooter or motorized bicycle having an engine with less than 150 cubic centimeters displacement or with five brake horsepower or less.

25. Official Traffic Control Devices. All signs, signals, markings and devices not inconsistent with this Manual placed or erected by authority of a public body or official having jurisdiction, for the purposes of regulating, warning, or guiding traffic.

26. Owner. A person, other than a lienholder, having the property in or title to a vehicle. This term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

27. Park or Parking. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

28. Passenger Car. Every motor vehicle, except motorcycles and motor driven cycles, designed for carrying 10 passengers or less and used for the transportation of persons.

29. Pedestrian. Any person afoot.

30. Person. Every natural person, firm, partnership, association or corporation.

31. Point System. An impartial and uniform administrative device for evaluating driving performances not subject to modification or alteration.



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32. Police Officer. Every military policeman, security policeman, or Japanese law official authorized to direct or regulate traffic or to make apprehensions for violations of traffic regulations.

33. Registration. The registration certificate or certificates and registration plates issued under the provisions of this Manual pertaining to the registration of vehicles.

34. Revocation of Driver's License. The termination by formal action of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon after the expiration of the applicable period of time prescribed in this Manual.

35. Right of Way. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

36. Roadway. That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk berm, or shoulder even though such sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

37. Safety Zone. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

38. School Bus. Every motor vehicle that complies with the identification requirements set forth in the most recent edition of minimum standards for school buses and is used to transport children to or from school or in connecting with school activities, but not including buses operated by common carriers in urban transportation of school children.

39. Shoulder. That portion of the highway contiguous with the roadway for accommodation of stopped vehicles, emergency use and for lateral support of the roadway structure.

40. Skateboard. Any device consisting of a platform of any material of any size or shape, to which are affixed three or more wheels of any composition or size not to exceed six inches, which is human, motor, or engine powered and which is used to transport a human or humans for recreational or business purposes, not including those toys or transportation devices normally described as tricycles and which are propelled by pedals affixed to the front axle.

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41. Status of Forces Agreement (SOFA). Agreement under Articles VI and X of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, regarding facilities, areas, and privately owned vehicle registration requirements by United States Armed Forces in Japan.
42. Sidewalk. That portion of street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.
43. Specifically Designed/Designated Area. The area or space officially set apart and posted by Base Special Services for the exclusive use of a recreational activity, e.g., skateboards, roller skates, bicycles, etc.
44. Stand or Standing. The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.
45. Stop. When required, means complete cessation of movement.
46. Stop or Stopping. When prohibited means any halting even momentarily of vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.
47. Street. The entire width between boundary lines of every roadway publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
48. Suspension of Driver's License. The temporary withdrawal by formal action of a person's license or privilege to operate a motor vehicle on the public highways. Temporary withdrawal shall be for a specified period not to exceed a maximum of six months.
49. Through Highway. Every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic for intersecting highways is required by law to yield the right of way to vehicles on such through highway in obedience to a stop sign, yield sign, or other official traffic control device, when such signs or devices are erected as provided in this Manual.
50. Traffic. Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singularly or together while using any highway for purposes of travel.
51. Traffic Control Signal. Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

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52. United States Forces Japan (USFJ) Personnel. Members of the U.S. Armed Forces, members of the civilian component and their dependents as defined in Article I of the Status of Forces Agreement (SOFA), and contractor personnel defined in Article XIV of the SOFA. Members of the reserve components of the U.S. Armed Forces performing temporary duty training in Japan will not be considered USFJ personnel as far as operation of privately owned vehicles is concerned, based solely on their reserve active duty status.
53. "U" Turn. To turn and proceed in the opposite direction on a roadway/street.
54. Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
55. Borrowed Vehicle. A properly registered vehicle provided by a licensed SOFA status member to another licensed SOFA status member as a means of temporary transportation.
56. Leased/Rented Vehicle. A properly registered vehicle provided to a licensed SOFA status member by a bonafide leasing or rental agency, for a designated fee, and for a designated period of time.
57. Loaned Vehicle. A properly registered vehicle provided to a licensed SOFA status member by a bonafide automobile dealer, automobile repair shop, motorcycle dealer, or motorcycle repair shop as a means of temporary transportation during that time wherein the registered owner of a vehicle is unable to drive his vehicle due to a mechanical defect requiring repair.
58. Handicapped. Persons with disabilities verified by a medical doctor which limit or impair the ability to walk.
59. Radar Detection Devices. Any device which its sole purpose is to detect the presence of speed recording instruments or to transmit erroneous speeds to speed recording instruments.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 1

### REGISTRATION, LICENSING, AND INSPECTION OF PRIVATELY OWNED/COMMERCIAL VEHICLES AND VEHICLES OF QUASI-OFFICIAL AGENCIES OF THE U.S. FORCES, JAPAN

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 1

### REGISTRATION, LICENSING, AND INSPECTION OF PRIVATELY OWNED/ COMMERCIAL VEHICLES AND VEHICLES OF QUASI-OFFICIAL AGENCIES OF THE U.S. FORCES, JAPAN

#### 1000. BASIC REQUIREMENTS FOR APPLICATION OF REGISTRATION

1. Within 10 days of taking possession, receiving, or acquiring a vehicle, United States Forces Japan (USFJ) personnel will report to the Joint Services Vehicle Registration Office (JSVRO). At the time of reporting, personnel will be prepared to complete the registration process with the Japanese and military authorities within seven work days. United States Forces Japan personnel will present privately owned motor vehicles to which they have title, possession, or custody to Government of Japan authorities for inspection, registration, and obtaining of number plates. Additionally, all motor vehicles which USFJ personnel have presented to Government of Japan (GOJ) authorities for inspection, registration, and obtaining of number plates will be presented to the JSVRO for military registration.

2. Motor vehicles not registered as provided for in this Chapter will not be serviced at gasoline, petroleum, oil, or lubricant service stations, outlets, or garages on USFJ facilities or areas, or at such service stations, outlets, or garages operated by or for the USFJ unless the registered owner of the motor vehicle is present and requests the service and has a valid USFJ identification. United States Embassy and United Nations Command personnel must present valid United States Embassy or United Nations Command identification. Non-United States Forces Japan registered motor vehicles described in paragraph 1018 of this Chapter do not have this privilege, except for vehicles rented through authorized base concessions, registered to retired military personnel, or issued a temporary vehicle pass in conjunction with paragraph 1021 of this Chapter.

3. Motor vehicles registered with the JSVRO will be registered to one owner (excluding licensed car dealers) for a minimum of 120 days before being eligible for re-registration, except upon receipt of Permanent Change of Station (PCS) orders. No one is permitted to register a motor vehicle with fewer than 30 days remaining until their rotation tour date. The total number of registered, privately owned motor vehicles per USFJ registrant is limited to one passenger vehicle and one motorcycle per licensed USFJ family member. Exceptions to these restrictions will be requested through the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler, and handled on a case by case basis, only after appropriate endorsements have been given by the individual's administrative chain of command.

4. All personnel who have registered a motor vehicle in Okinawa will deregister it at both the GOJ Land Transportation Office and the JSVRO at least 15 days before their rotation tour date.

Deregistration must be completed before final clearance is granted by the JSVRO. Final clearance will also be given to United States Forces vehicle owners with orders for Permanent Change of Station who have initiated a special Power of Attorney in accordance with paragraph 1024 and updated their military registration with the Power of Attorney holder's identification and expiration date.

5. USFJ registrants may initiate either a Power of Attorney to another USFJ person or a Letter of Attorney to either another USFJ person or Non-USFJ person, authorizing a second party to register/deregister their vehicle. The Letter of Attorney may be initiated at the JSVRO.

6. Evidence of the following must be presented by registrants or their authorized designees at the time of registration:

a. Identification Card. Either an active duty U.S. Armed Forces Identification Card or civilian Uniformed Services Identification and Privilege Card stipulating sponsor status.

b. Driver's License. A valid USFJ Form 4EJ driver's license for the type of vehicle to be registered.

c. Proof of Insurance

(1) Property Damage Insurance (PDI) of at least \$5,000 issued in the name of the registrant for one year or until the registrant's Japanese inspection expiration or rotation tour date, whichever occurs first.

(2) Japanese Compulsory Insurance (JCI) as required by Japanese Motor Vehicle Damage Compensation Guaranty Law, which has been transferred into the name of the new registrant.

7. Dependents may not register privately owned motor vehicles in their name.

8. Except where the right to operate a motor vehicle has legally ended for cause by a state, territory, military, Japanese, or federal authority, the privilege to operate a privately owned motor vehicle on USFJ installations will normally be extended to the following:

a. USFJ personnel and their dependents.

b. Retired military personnel and their dependents.

c. Japanese Nationals employed by USFJ at the facility where employed only.

d. Guests of military personnel stationed at the entered facility.

e. Civilian contractors who are employed on a facility, but who are not employed by an activity of that facility.

f. Civilian personnel who are employed off base, but whose business or activity brings them on a USFJ installation for official business.

9. Joint military member households will register vehicles in their own name, vice one active duty member registering both vehicles. Additional vehicles that are operated by licensed drivers in the household will be registered in the name of the active duty member they are sponsored by.

#### 1001. HANDICAPPED PARKING REGULATIONS

1. Any disabled person shall be allowed to park for an unlimited period in any parking space designated by official markings as handicapped parking.

2. A decal and placard shall be issued to all applicants who have a disability which is verified by a medical doctor.

3. The decal shall only be affixed to a vehicle legally registered to the applicant or the applicant's sponsor, and shall be placed on the left side of the rear bumper so it can be easily located by law enforcement personnel.

4. The placard shall be used primarily when the disabled individual is a passenger in or operating a vehicle that does not possess the decal.

5. Both the decal and placard will bear expiration dates in the same manner as the regular installation decal.

a. If the disability is of a temporary nature, the expiration will correspond with the date recommended by the physician.

b. If the disability is of a permanent nature, the expiration will correspond with the expiration of the regular military registration.

c. Renewals and extensions will require the same verification as initial applications.

6. Any use of the decal or placard which violates its intended purpose will justify revocation of the privilege.

#### 1002. VEHICLE INSPECTIONS

1. Japanese law requires that all motor vehicles, except certain motorcycles, be subjected to inspection and prohibits operation of



motor vehicles without valid motor vehicle inspection certificates, corresponding inspection stickers in the windshield, and Japanese number plates with seal on rear plates of all four-wheel vehicles with engine displacement of more than 550 cubic centimeters. Each motor vehicle inspection certificate is issued at the Land Transportation Office for a specific period. The certificate is commonly called the "Japanese Title." Hence, the Japanese title must be updated through reinspection at specified intervals, based on the category and first registration year of the vehicle.

2. Motor vehicle inspection certificates must be renewed every two years until the vehicle is more than ten registration years old, after which the certificate will be renewed annually. Cargo type vehicles must have their inspection certificates renewed annually. Initial issuance of a motor vehicle inspection certificate for new passenger carrying motor vehicles (not including two-wheeled vehicles) will be for a three year period, which includes all motor vehicles imported into Japan by USFJ personnel regardless of the date of manufacture.

3. Motorcycles with engine displacements between 125 cubic centimeters and 250 cubic centimeters are registered indefinitely with the GOJ Light Motor Vehicle Section, but require annual inspections and military registration renewal at the JSVRO.

4. Autocycles with engine displacements below 126 cubic centimeters are registered indefinitely at local city offices, but also receive annual inspections and military registration renewal at the JSVRO.

1003. PERIODIC CHECKS AND MAINTENANCE. Japanese law requires the users of motor vehicles to check their vehicles every six months, and when the users deem that the motor vehicles fail to conform to the Safety Regulations, they shall effect necessary maintenance and repair. It is recommended that at least every 12 months the check be done at a certified GOJ garage.

#### 1004. INITIAL REGISTRATION

1. For the purposes of this Chapter, the registration of vehicles without valid inspection certificates in the name of a USFJ registrant is an "initial" registration, and reregistration of vehicles from one USFJ registrant to another USFJ registrant with a valid inspection certificate is a "title transfer."

2. Initial registration of a motor vehicle with a deregistered inspection certificate in the name of a Non-USFJ registrant requires compliance of paragraph 1000, possession of a Japanese Certificate of Transfer, and the following:

a. Temporary License Plates. Temporary license plates must be displayed on every vehicle that is operated without a valid

Japanese inspection certificate, the correct number of Japanese number plates, or with a broken rear number plate seal. Temporary license plates may be rented at local Japanese city offices for a fee paid in Japanese Yen or at the JSVRO for \$3.60 and a \$10.00 deposit, which is refunded upon return of the plates (checks are not accepted). The use of temporary license plates is restricted to operation for registration purposes only. Temporary license plates are valid for three consecutive Japanese work days or until noon Saturday, whichever occurs first.

b. Disassembly Inspections at a GOJ Authorized Garage. Disassembly inspections may be accomplished at either a designated or certified GOJ authorized garage. Designated garages are also authorized to do reassembly inspections on cars. Disassembly inspections at certified garages requires reassembly inspections at the JSVRO.

c. Reassembly Inspections. All motor vehicles registered with the JSVRO must complete reassembly inspections. A complete reassembly inspection will be conducted at the JSVRO by first paying for and receiving the Motor Vehicle Inspection Checklists and second, presenting the vehicle to be inspected to the inspector in lanes numbered 5 or 6. There is a nominal charge for the inspection. All motorcycles obtain reassembly inspections at the JSVRO.

d. GOJ Verification of Inspections. After the reassembly inspection, but within 15 days of the completed disassembly inspection, all vehicles must be presented in lanes 3 or 4 to the GOJ inspector at the JSVRO. Failure to present the vehicle for reassembly inspection within 15 days of the completed disassembly inspection rescinds the completed disassembly inspection.

e. Application Processing. All applications must be presented to the information counter within the JSVRO for verification and validation. Applicants will receive a number that designates their turn for processing the application after it has been authenticated. Uniformed military personnel have priority through the processing, after their applications are approved. The cashier collects fees in either U.S. dollars or Japanese Yen for weight tax, revenue stamps, and inspection certificate application processing (checks are not accepted). All applicants must return to the GOJ inspector with the processed application for GOJ authentication.

f. Title Processing of All Motor Vehicles, Except Mini Cars and Motorcycles Below 251cc. Applicants must report to the GOJ Land Transportation Office after leaving the GOJ inspector's office at the JSVRO. Processed applications must be presented at window #8. Road use tax must be paid in Japanese Yen at window #11. Number plates must be purchased at window #4. The cost for road use tax is listed in paragraph 1016 of this Chapter. The cost for number plates is ¥1,714 for a passenger motor vehicle and ¥679 for a motorcycle. After receiving the number plates, applicants must replace the temporary license plates with the new number plates and

drive through the designated lane at the Land Transportation Office where a seal will be installed on the rear license plate to prevent removal. Should this seal become either lost, stolen, or tampered with, replacement must be accomplished through application at the JSVRO, and operation of the vehicle requires a temporary license plate until proper replacement of the seal.

g. Title Processing of Mini-Cars and Motorcycles Between 126cc and 250cc. Processed applications for mini-cars and motorcycles between 125cc and 250cc must be submitted at windows #16, #17, and #18 of the Light Motor Vehicle Section at the Land Transportation Office. Mini-car applicants receive an inspection certificate, inspection sticker, and pay ¥1,714 for number plates. Motorcycle applicants receive a title and pay ¥679 for number plates. The road taxes for this category of vehicle are paid at local city offices nearest to where you live or work, whichever is more convenient.

h. Title Processing of Motorcycles Below 126cc. Applicants must present the processed application to the local city office nearest where you live or work, whichever is more convenient, to pay road use tax and receive a title.

i. Military Registration. USFJ personnel will return to the JSVRO with their vehicles to effect military registration within three work days after registration with the Japanese authorities has been completed. Military registration is effected in lanes 1 and 2 at the JSVRO upon submission of either an inspection certificate or a title, whichever is appropriate, and road use tax payment receipt. Registrants receive a Military Registration and Certificate of Title of Motor Vehicle - DD Form 430, military registration decals - showing the month and year of expiration, and a USFJ Form 15A or B - road use tax decal. The road use tax and military registration decals will be affixed to your vehicle by personnel of the JSVRO. All decals remain United States Government property, and as such, the unauthorized removal, sale, transfer to another vehicle, mutilation, alteration, forgery or obscuring of decals is prohibited. Military registration is effective until an active duty military member's rotation tour date, a civilian employee's identification card expiration date, or expiration of the Japanese Inspection Certificate, whichever occurs first for a period not exceeding two years. Active duty or retired military registrants in pay grades E-9 and O-6 and above will receive applicable decals for designated parking spaces throughout military bases on Okinawa.

j. Decals. The decal placed on the vehicle will coincide with the rank (enlisted or officer) of the registered owner of the vehicle. In dual military households where one person is enlisted and the other is an officer, only the vehicle registered to the officer will receive a Blue Zero for their vehicle.

3. Initial registration of a motor vehicle with a valid inspection certificate that is registered in the name of a Non-USFJ

registrant requires compliance with paragraph 1000 and paragraphs 1004.2e through 1004.2i above. Additionally, the following documents must be presented at the time of application processing:

- a. Japanese Inspection Certificate.
- b. Japanese Certificate of Transfer.
- c. Japanese Letter of Attorney.
- d. Inkan Shomeisho of individual named on the inspection certificate.
- e. Juminhyo (whenever the address of the individual named on the inspection certificate and the Inkan Shomeisho are different).

4. Initial registration procedures for reregistration and concurrent possession of a Non-United States Forces Japan registration into Status of Forces Agreement status requires compliance of paragraph 0001 and compliance of paragraphs 1004.2e through 1004.2i above. Additionally, the following documents must be presented at the time of application:

- a. Japanese Inspection Certificate.
- b. Original and one copy of the applicant's alien registration certificate issued from the city office of registration where the alien registration card is issued.
- c. Notarized signature certificate from American Consulate or registered Inkan and Inkan shomeisho issued by the city office of registration.
- d. Letter of employment.

5. Initial registration procedures for a vehicle imported from anywhere except another Japanese prefecture is the same as initial registration of a vehicle with a deregistered inspection certificate described in paragraph 1004.2 above, except that the registrant must have a customs Form 380 EJ instead of the deregistered Japanese Inspection Certificate and Japanese Certificate of Transfer. The customs form is obtained at the point of entry and must be validated at a Japanese customs office prior to application processing.

#### 1005. TITLE TRANSFERS

1. The requirements for title transfers among USFJ personnel with a valid inspection certificate is the same as the requirements in paragraphs 1000.1, 1000.3, 1000.6, 1003.2e, and 1003.2i.
2. The registration of a motor vehicle will not be transferred with an expired inspection certificate.

1006. DOCUMENTS REQUIRED WHILE OPERATING PRIVATELY OWNED MOTOR VEHICLES

1. USFJ personnel must have the following valid documents in their possession while operating privately owned motor vehicles.

a. DD Form 430, Military Registration and Certificate of Title of Motor Vehicle.

b. USFJ Form 15A or B, Vehicle Registration Decal and military registration expiration decals, properly affixed to the motor vehicle, except for vehicles with Official Vehicle status.

c. USFJ Form 4EJ, Operator's Permit for Civilian Vehicle.

d. Motor Vehicle Inspection Certificate with road use and tonnage tax receipts attached, except for vehicles with Official Vehicle status.

e. Certificate of Japanese Compulsory Insurance coverage.

f. Proof of property damage insurance.

2. Application for replacement of a lost motor vehicle inspection certificate must be made to the GOJ Land Transportation Office through the JSVRO.

1007. REGISTRATION OF MOTOR VEHICLES PURCHASED FROM THE DEFENSE REUTILIZATION AND MARKETING OFFICE

1. USFJ personnel who desire to register a vehicle purchased from the Defense Reutilization and Marketing Office (DRMO) are required to have either a Certificate of Automobile Auctioned letter signed by the DRMO Officer or Standard Form 97 if it was a U.S. Government vehicle used for official business. Possession of the applicable documents authorizes the registrant to proceed through either initial registration or title transfer, depending on the status of the Japanese Inspection Certificate.

2. If the vehicle was imported into Japan and manufactured on 1 April 1976 or later, it may not be eligible for Japanese registration.

1008. REREGISTRATION. Military registration is determined by either an active duty military member's rotation tour date, a civilian employee's identification card expiration date, or expiration of the Japanese Inspection Certificate, whichever occurs first, for a period not exceeding two years.

1. USFJ personnel granted extensions of their current overseas tour are required to provide a copy of their extension orders to

the JSVRO showing the new rotation tour date. Civilian employees must provide evidence of an updated identification card.

2. Reinspection requires the registrant to complete the requirements of paragraphs 1004.2b through 1004.2e. Additionally, the registrant must revalidate the existing military registration period to receive applicable expiration decals in the decal lanes 1 and 2 at the JSVRO. Vehicles with expired inspection certificates will not be operated without first affixing temporary license plates.

1009. DEREGISTRATION FOR REPAIRS. Deregistration for repairs, permits a vehicle to legally stand without number plates. USFJ registrants are not authorized to let their vehicles stand with expired motor vehicle inspection certificates. Vehicles permitted by their owners or custodians to stand in excess of 120 days with expired inspection certificates are considered abandoned and administratively deregistered without possibility of reregistration in Japan. Deregistration for repairs requires the following:

1. Number Plate Removal. USFJ registrants must remove the vehicle's number plates and report to the JSVRO with number plates, applicable inspection certificate, and military registration.

2. Number for Deregistration. USFJ registrants must complete application at the JSVRO for deregistration with Japanese authorities. The processed application for deregistration with Japanese authorities is submitted to the GOJ Land Transportation Office at window #8 or #16, as appropriate. If applicable, refunds of unused road use tax and Japanese Compulsory Insurance may be returned. Road use tax refunds are returned at window #11 of the Prefecture Tax Office or the local city office for minicars where the payment is recorded. Refunds for portions of unused Japanese Compulsory Insurance must be made to the applicable company.

3. Cancellation of Military Registration. USFJ registrants must return to the JSVRO and surrender the Military Registration and Certificate of Title of Motor Vehicle, which is stamped "deregistered for repairs" at window #8 of the GOJ Land Transportation Office. The deregistered inspection certificate must be maintained if the vehicle is to be reregistered because existence of the vehicle has been removed from the GOJ Land Transportation Office computer files at deregistration. If the vehicle is to be parked on a military facility without number plates, the vehicle must display a parking permit, which is issued by the JSVRO for 30 days. Requests to extend parking permits for longer than 30 days must be initiated through the chain of command for consideration.

#### 1010. DEREGISTRATION FOR SCRAP

1. Motor vehicles released to a scrap dealer must be deregistered and have their military registrations cancelled. The procedures

for deregistering are the same here as outlined in paragraph 1009, except that here, registrants will receive a copy of the scrap dealer's license and a scrap receipt. Ensure that the dealer has placed his "inkan" on the copy of the dealer's license.

2. Vehicles deregistered for scrap are permanently removed from the GOJ Land Transportation Office records.

3. If the vehicle is one which was imported into Japan duty-free with an "E" license plate, both the registered owner and junk dealer must report to the JSVRO to prepare Customs Form F, No. 1250 before deregistration.

#### 1011. DEREGISTRATION BY RELEASE TO THE U.S. GOVERNMENT

1. USFJ personnel are authorized to release their vehicles to the U.S. Government for scrap. Release of vehicles to the U.S. Government does not relieve the registered owner or designee from deregistration of the motor vehicle with the GOJ Land Transportation Office and payment of road use tax, if due. The USFJ registrant is responsible for delivery of the vehicle to the Joint Services Vehicle Impound Lot (JSVIL) and must sign authorization for the U.S. Government to scrap the vehicle. After following the applicable steps outlined above in paragraph 1009, the registrant must return to the JSVRO to cancel military registration.

2. Vehicles donated or impounded by the U.S. Government are relinquished through the Morale, Welfare and Recreation Division (MWR), for reutilization of Parts and Scrap.

#### 1012. DEREGISTRATION OF VEHICLES IMPORTED TO JAPAN BY SALE TO NON-SOFA RESIDENT OF JAPAN

1. Before initiating the deregistration process, buyer and seller must report to the JSVRO to prepare Customs Form F, No. 1250. After completing the customs form, proceed to the nearest Japanese Customs Office with the applicable vehicle to get customs clearance. If clearance is obtained, the buyer and seller will return to the JSVRO to initiate the deregistration process. The vehicle must be visually inspected by the GOJ inspector to ensure the vehicle is cleared of any illegal modifications to which a release form will be prepared and completed. After the vehicle has passed this inspection, the USFJ registrant deregisters the vehicle for repairs and completes a bill-of-sale for the buyer.

2. Issuance of the Customs Form F, No. 1250 is based on the following considerations:

- a. Vehicle must be at least two model years old.

b. Vehicle must be registered in Japan in the seller's name for at least 12 months before the transfer.

c. Must be the only vehicle transferred to a Non-United States Forces Japan person by either the seller or members of the seller's family within the last two years.

#### 1013. DEREGISTRATION FOR SHIPPING

1. USFJ personnel who are in receipt of official orders and desire to ship their motor vehicles out of Japan must report to the JSVRO with the motor vehicle inspection certificate and four copies of their orders to begin deregistration. Deregistration for shipping requires the following:

a. Application. USFJ registrants must complete an application at the JSVRO for deregistration with Japanese authorities if the vehicle is to be shipped outside of Japan. The processed application for deregistration is submitted to the GOJ Land Transportation Office at window #8. The Japanese inspection certificate is stamped "Deregistered for Shipping" and returned to applicant. Applications for unused portions of Japanese road use tax must be submitted with the deregistered inspection certificate at window #11 of the Land Transportation Office.

b. Cancellation of Military Registration. USFJ registrants must return to the JSVRO to cancel the active military registration period and receive military deregistration for shipping, which is required at Naha Port.

c. Vehicle Delivery. Within 24 hours of the first work day after deregistration with the GOJ Land Transportation office, USFJ registrants must proceed to the Private Owned Vehicle (POV) outbound section, Military Traffic Management Command (MTMC) Terminal Naha Port (Warehouse 307 door 9, phone number 634-7785) between the hours of 0730-1030 and 1230-1530, Monday through Friday, with three copies of orders, the deregistered inspection certificate provided by the Land Transportation Office, the original and two copies of the Military Registration and Certificate of Title of Motor Vehicle, DD Form 430, and the vehicle to be shipped. Applications for refunds of unused portions of Japanese Compulsory Insurance may be submitted to the appropriate insurance company after the vehicle is delivered to Naha Port.

2. USFJ registrants who ship their vehicles to the United States or a different Japanese prefecture do not remove the vehicle's number plates. Vehicle owners who ship their vehicles to countries other than the United States must remove and return license plates to the Land Transportation Office at window #4. Delivery of a vehicle without Japanese number plates from the Land Transportation Office to Naha Port requires the use of temporary license plates.



1014. DEREGISTRATION THROUGH SEPARATION WITH CONCURRENT RETENTION

1. USFJ personnel who desire to separate from the service or end their civilian employment and remain in Japan, must initiate application through the JSVRO to the GOJ Land Transportation Office to change their vehicle number plates (A, E, or Y License Plates) to Non-United States Forces license plates. The following documents are required to change the number plates:

a. Copy of separation/retention orders.

b. Original and one copy of the applicant's lien registration certificate issued from the city office of registration where the Alien Registration Card is issued.

c. Notarized signature certificate from American Consulate or registered Inkan and Inkanshomeisho issued by the city office of registration.

d. Parking space "Certificate of Approval" from the Japanese Police Station with jurisdiction in the applicant's residency.

e. Japanese driver's license.

2. By the scheduled date for change of status, the registrant must proceed to the JSVRO with vehicle registration forms and above documents to initiate the deregistration process.

3. The inspection certificate will be reissued at the GOJ Land Transportation Office with Non-United States Forces number plates based on the current inspection period. The inspection period is not extended. Registrants must change the Japanese road use tax receipt at window #11 and pay ¥1,714 at window #4 for the number plates.

4. The registrant must return to the JSVRO to cancel the military registration and initiate Non-Status of Forces Agreement registration and issuance of a "Retired" decal, if applicable.

1015. CHANGE OF PREFECTURE. USFJ personnel transferring a vehicle from one Prefecture in Japan to Okinawa are required to effect a change of Prefecture number plates within 15 days of their arrival on Okinawa. Registrants must accomplish the following procedures for prefecture change:

1. Application for Prefecture Change. USFJ registrants must initiate application at the JSVRO to the GOJ Land Transportation Office to change the inspection certificate and number plates for Okinawa. The inspection period is not extended by the issuance of a new inspection certificate.

2. Japanese Inspection Certificate and Number Plate Issuance. USFJ applicants must submit their applications at window #8 of the GOJ Land Transportation Office to receive a new Japanese inspection certificate. Applicants must go to window #4 to turn in the old number plates and obtain new number plates for ¥1,714. After procurement of the number plates, proceed to the applicable lane where the rear number plate is sealed.

3. Military Registration. USFJ registrants will return to the JSVRO with their vehicles within three work days after registration with the Japanese authorities has been completed to effect military registration.

#### 1016. ROAD USE TAX

1. Under an intergovernmental agreement, USFJ personnel will pay and Japanese officials will accept payment for use of roads in Japan by privately owned motor vehicles owned, possessed, or in the custody of USFJ personnel. Road tax payments by USFJ personnel with minicars, motorcycles, and autocycles must be paid in April of each year. Payments are collected between 0900-1130 and 1230-1600, Monday through Friday, at the local Japanese city office where a record of the previous year's payments is maintained. Tax will also be collected in April for all vehicles being registered for the first time and re-registered into the name of a new owner. All other taxes will be collected in May at temporary collection sites. Tax payments must be made in Yen. The exact amount of tax due is as follows:

a. Autocycles (125cc and smaller) . . . . .	¥450
b. Motorcycles (126cc and larger) . . . . .	¥900
c. Mini-Cars (550cc or less with 4 wheels) . . . . .	¥2,650
d. Small Passenger Vehicles (51-59 and 44-49 license plate series) . . . . .	¥6,500
e. Large Passenger Vehicles (33-39 license plate series) . . . . .	¥19,000
f. Large Trucks (11-19 license plate series) . . . . .	¥28,000

(NOTE: These rates are subject to change by Japanese authorities.)

2. USFJ personnel who acquire vehicles or arrive in Japan with vehicles after 1 April each year are required to pay one-twelfth of the annual amount for each month remaining till the close of the Japanese fiscal year (30 March).

3. Refunds of a portion of amounts previously paid will be made upon request of personnel who cancel the registration of their vehicles.

4. Personnel who have paid the Japanese road tax will be issued a USFJ Form 15A or 15B, whichever is applicable, by the JSVRO. The current year decal must be displayed after 30 April of each calendar year for mini-cars, motorcycles, and autocycles and after 31 May for all other vehicles.
5. A Japanese road tax receipt issued by Japanese authorities will always be carried in the vehicle.

#### 1017. VEHICLE TONNAGE TAX

1. Besides the road use tax, a charge known as the "tonnage tax" became effective 1 December 1971 and was modified in May 1974 and May 1976. By Joint Committee agreement, USFJ personnel will pay this additional charge upon initial registration and at re-registration, except in the case of autocycles which are not subject to this tax.
2. This tax is paid by purchasing automobile weight tax revenue stamps and affixing them to the documents submitted at the time of initial registration/inspection and at the time of renewal of inspection certificates. This tax is nonrefundable.
3. The passenger type vehicle tax (vehicle inspection certificate for two years) depends upon the vehicle weight and varies from ¥6,300 to ¥250,000.
4. The cargo type vehicle tax (vehicle inspection certificate for one year) depends upon the gross vehicle weight and varies from ¥2,200 to ¥17,000.
5. The motorcycle tax depends upon the engine displacement. The tax for motorcycles over 250cc is ¥1,300 at initial registration and ¥1,300 at every reinspection thereafter, until the 10th registration year when the tax is reduced to ¥600 each year. The tax for motorcycles with engine displacements between 125cc and 251cc is ¥1,600 that is paid only once at initial registration for the life of the vehicle.
6. The light motor vehicle tax is ¥2,200 paid every two years.
7. In addition to the charges listed, Japanese law requires that USFJ personnel pay a five percent acquisition tax on all purchases in Japan of private vehicles at ¥300,000 or over in value unless such purchase is an "interservice" transfer (that is, purchased by a USFJ member from another USFJ member, or purchased from an agency of the United States Forces Japan).

#### 1018. APPLICATION FOR REGISTRATION BY NON-UNITED STATES FORCES JAPAN PERSONNEL

1. Non-USFJ personnel who are employed at or regularly visit a

USFJ installation on Okinawa, and desire to obtain driving privileges on post, will register their vehicle with the JSVRO.

2. The following documents must be presented at the time of registration:

a. SDB-PM 5830/10 (2/76) - USMC Activity pass, 5AF98AJ - USAF Activity pass, or a DD Form 2, (Retired).

b. Motor vehicle inspection certificate in the name of the registrant or designating the registrant as an authorized user.

c. Japanese operator's permit.

d. Evidence of vehicle insurance coverage. All vehicle owners will present evidence of Japanese Compulsory Insurance (JCI). Except for retired personnel who desire registration, the additional requirement of \$5,000.00 property damage insurance is applicable only to persons claiming privileges under the Status of Forces Agreement and shall not be required as a condition of admission to U.S. facilities of Japanese nationals or other residents of Japan. Additional insurance is not required for vehicles of Japanese contractors or subcontractors whose entry to the base is for the purpose of making deliveries or is otherwise in connection with the performance of a government contract.

3. Registration of motor vehicles for access to U.S. Army and U.S. Navy installations will be accomplished utilizing Marine Corps procedures at the JSVRO.

4. A temporary vehicle permit, SDB 5830/7 (3/69) will be issued for the duration of a contract, until expiration of identification card, or in conjunction with the vehicle's inspection certificate expiration date, whichever occurs first for a period not exceeding one year, unless otherwise approved by the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler.

5. A permanent vehicle decal will be issued with a maximum military registration expiration period of two years. Expiration of the military registration period will be determined by the vehicle's inspection certificate expiration. Decals will be color coded to facilitate military installation access as follows:

a. Black - All bases.

b. Orange - USAF.

c. Yellow - USMC.

d. Red with white "R" in center - Enlisted retirees.

e. Blue with white "R" in center - Officers.

6. Non-United States Forces Japan personnel entitled to registration privileges will not lend, rent, or authorize the use or otherwise give custody of their privately owned vehicles to persons without the same base registration privileges.

7. All vehicle permits and decals will be surrendered to the JSVRO when the vehicle is sold, destroyed, or no longer used on USFJ installations. Further, vehicle permits and decals will be withdrawn when the registrant's driving privileges are suspended or revoked by either USFJ or Japanese authorities.

8. Only taxicabs meeting the provisions of this Manual and BO 11240.39 will be admitted on USFJ installations.

#### 1019. RESTRICTIONS ON USE OR OPERATION OF MOTOR VEHICLES

1. USFJ personnel will not rent, lend, or permit the use or operation of their privately owned motor vehicles by persons other than those who possess a valid USFJ Form 4EJ. They will also not lend, rent, or authorize use under a power of attorney or otherwise give custody of their privately owned motor vehicles to persons other than USFJ personnel, except for the temporary convenience of the owner, or his or her family, when the vehicle is:

- a. Undergoing maintenance or repair.
- b. Undergoing inspection and processing at the GOJ Land Transportation Office.
- c. Being shipped into or out of Japan.
- d. Temporarily stored in a garage or in an authorized parking area.

2. USFJ personnel will not operate a leased, rented, or borrowed vehicle, including any Japanese owned and registered motor vehicle, unless the following requirements are met:

- a. Operators have a valid USFJ Form 4EJ for the type of motor vehicle to be operated.
- b. The vehicle is insured in accordance with paragraph 1000.6c.

#### 1020. REVOCATION OF DRIVING PRIVILEGES

1. In situations where the USFJ registrant's driving privileges have been revoked and the USFJ Form 4EJ has been confiscated, the USFJ registrant will report to the JSVRO within 10 workdays for deregistration with the Japanese authorities.

2. The foregoing action does not apply to dependents whose driving privileges are revoked. Ensuring that a dependent does not drive without a license is the responsibility of the registrant (sponsor).

3. USFJ registrants with administrative restrictions imposed upon their driving privileges will report to the JSVRO with their vehicle(s) for a temporary vehicle pass to be issued in accordance with paragraph 1022.2.

#### 1021. PARKING PERMITS

1. Commanders of USFJ installations on Okinawa should designate, by letter, to the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler, the duration and specific area wherein unregistered or inoperative vehicles will be stored aboard the Commander's installation.

2. The JSVRO will issue parking permits in conjunction with non-operative registration for no longer than 30 days without the instructions of the respective installation commander concerned.

#### 1022. TEMPORARY VEHICLE PASS

1. The Temporary Vehicle Pass, SDB 5560/2 (11-78), may be issued in lieu of military registration to designate a specific driver restriction imposed upon a USFJ registrant. In cases where restriction to the driving privileges of a USFJ registrant is imposed by a Commanding Officer, a Traffic Court Officer, or other authorized official, the registrant will report to the JSVRO within 10 work-days of such restriction to have the military registration cancelled. The Military Registration and Certificate of Title of Motor Vehicle and all applicable military registration expiration and road use tax decals will be surrendered in exchange for a Temporary Vehicle Pass with annotated restrictions, as directed by appropriate authority.

2. USFJ registrants may also be issued a Temporary Vehicle Pass, to operate a leased or rented vehicle with Non-United States Forces Japan number plates in conjunction with official orders or to operate a vehicle loaned in lieu of their own motor vehicle which is undergoing maintenance and repair in accordance with paragraph 1000.2. Temporary passes issued will not exceed the total number of motor vehicles authorized a USFJ registrant as explained in paragraph 1000.3.

3. Evidence of the following will be presented prior to issuance of a pass for a vehicle with Non-United States Forces Japan registration:

- a. Proof of SOFA status.
- b. Valid USFJ Form 4EJ for the vehicle loaned.
- c. Valid Japanese Inspection Certificate.

d. Proof of Insurance as required by paragraph 1000.6c.

e. Written approval from the leasing/rental agency specifying to whom the vehicle is to be loaned and the duration for the intended use, which normally should not exceed seven days, except for rented vehicles or vehicles leased in conjunction with official orders.

1023. REGISTRATION OF MOTOR VEHICLES IDENTIFIED BY "OFFICIAL VEHICLE" NUMBERS

1. Nonappropriated Fund and other activities identified in subparagraphs 1023.2a and 1023.2b immediately below, which are present in Japan at the official invitation of, and solely in connection with, the United States Forces Japan, may have their motor vehicles placed in a special category when such vehicles are used solely for the business of the activity concerned. Such vehicles will be identified by a license plate which includes the letters "OV." In addition, each "OV" vehicle will display the name of the using organization and installation lettered conspicuously on the vehicle, preferably on the right and left front doors.

2. Service commanders may submit a request for "OV" numbers to the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler for motor vehicles operated by the following activities.

a. Nonappropriated Fund Activities

(1) Army Air Force Exchange System.

(2) Clubs and organizations that are instrumentalities of United States Forces Japan.

(3) Pacific Stars and Stripes.

b. Other Activities

(1) American Red Cross.

(2) U.S. official contractors as defined in paragraph 1, Article XIV of the Status of Forces Agreement.

(3) Military banking facilities and credit unions.

(4) Universities providing college level off-duty education programs.

3. Service Commanders are authorized to request the approval of the Commander, United States Forces Japan for the issuance of "OV" numbers to motor vehicles of an activity not identified above when:

a. The activity is in Japan solely at the official invitation of the United States Forces, Japan.

b. The motor vehicles are to be used only for the regular business of the activity.

c. Compelling and material reasons are present for authorizing the use of the "OV" number.

4. Motor vehicles of the nonappropriated fund activities in paragraph 1023.2a above bearing "OV" numbers are considered to be publicly owned motor vehicles. Motor vehicles of other activities bearing "OV" numbers (paragraphs 1023.2b and 1023.3 above) are considered to be privately owned vehicles.

5. Motor vehicles bearing "OV" numbers will conform to laws, regulations, standards, and procedures otherwise applicable to publicly owned or privately owned motor vehicles except that such privately owned motor vehicles will be exempt from registration with the GOJ Land Transportation Office and from charges with respect to the use of roads and tonnage taxes. These limited exceptions are accorded since privately owned vehicles bearing "OV" numbers are considered to be official vehicles within the meaning of paragraph 2, Article X of the Status of Forces Agreement.

6. "OV" numbers will be issued, registered, and controlled by the JSVRO. Consecutive registration numbers beginning with 200 and prefixed by the letters "OV" denoting motor vehicles subject to Marine Corps supervision and consecutive registration numbers beginning with 701 through 1200 and prefixed by the letters "OV" denoting motor vehicles subject to Air Force supervision will be stencilled in three inch letters and numbers on the front bumper, and in a prominent place on the rear of this type of vehicle. Appropriately numbered metal license plates may be used in lieu of stencils. Motor vehicles under Navy supervision are exempt from the requirements stated above; however, Commander, Naval Forces, Japan is authorized to issue consecutive "OV-N" numbers, beginning with the number 100, to those motor vehicles operated by activities listed in subparagraph 1b(2) Section X of United States Forces, Japan Policy Letter 125-2 dated 15 June 1986. Such motor vehicles, however, will be identified as prescribed by the Commander, U.S. Naval Forces, Japan and when so identified shall be subject to the same conditions and privileges as granted by this Manual to motor vehicles assigned "OV" numbers.

7. Motor vehicles bearing "OV" numbers will be relicensed annually. At this time, justification for relicensing will be resubmitted and safety inspections will be accomplished (plates or numbers need not necessarily be changed). Privately owned motor vehicles as defined by paragraphs 2023.2b and 2023.3 above will be inspected at the JSVRO.

8. Operators of publicly owned motor vehicles assigned "OV" numbers will be licensed in accordance with applicable regulations pertaining to other U.S. Government Vehicles. Operators of privately



owned motor vehicles assigned "OV" numbers will be licensed per this Manual.

9. Publicly owned motor vehicles assigned "OV" numbers are not required to carry Japanese Compulsory Insurance, unless otherwise directed. Privately owned motor vehicles assigned "OV" numbers will have both Japanese Compulsory Insurance and Property Damage Insurance.

10. At no time will motor vehicles assigned "OV" numbers be operated for the personal use or benefit of the operator or passengers (nonappropriated taxi service organizations and rental vehicles are excepted). Vehicles will be used only for the official business of the activity concerned. Operation of vehicles with "OV" registration in violation of the intended privileges granted may result in either suspension of the current registration period or the inability to renew registration upon expiration of the current registration period.

1024. POWERS OF ATTORNEY. Personnel will not be permitted to employ powers of attorney to dispose of their vehicles, except as follows:

1. Personnel under orders for Permanent Change of Station (PCS) are authorized to use a Power of Attorney (POA) to dispose of their privately owned vehicles for a period of 90 days after the effective date of their PCS, provided a mandatory clause is included in each POA that in the event of failure to sell or otherwise dispose of the vehicle covered by the POA within the 90-day period, the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler will deregister, abandon, and surrender the vehicle to the U. S. Government for salvage. In situations where a vehicle is not disposed of within the 90-day limit, the Provost Marshal shall consider waiver requests on a case-by-case basis.

a. When the holder of a POA can provide proof of purchase for the vehicle, the waiver request will generally be approved.

b. When the holder of a POA cannot provide proof of purchase, a reasonable amount of time may be allowed to obtain a second legal POA, provided that failure to properly execute the POA was due to exceptional/hardship situations. If a second legal POA is not provided within thirty days from the day the request for waiver is approved, the Provost Marshal shall process the vehicle for disposal.

c. In either case, the holder of the POA will be cited for failure to properly execute the POA by either registering or otherwise disposing of the vehicle within the 90-day limit.

2. If the vehicle is otherwise eligible for disposition to a resident of Japan, but is not yet two model years old and the owner departs Japan on PCS, then the vehicle may be disposed of to a

resident of Japan by use of a power of attorney within 60 days after the vehicle becomes two model years old, provided that the vehicle becomes two model years old within 60 days after the owner's departure.

3. In those cases where the owner becomes deceased, then the legal representative or the summary court may dispose of the vehicle directly or by use of a power of attorney to another United States authorized person if the vehicle is presently eligible for sale to him/her, or to a resident of Japan if the vehicle is presently eligible for disposition to a resident of Japan but is not yet two model years old, disposition must be made when the vehicle becomes two model years old.

4. Unless otherwise approved by the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler, a USFJ member may hold only one Power of Attorney per vehicle per 90 day period, except USFJ registrants who are authorized to assign all vehicles registered in one family name to a single Power of Attorney holder in conjunction with Permanent Change of Station orders.

5. Unless otherwise approved by the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler, dependents of USFJ registrants are not authorized to hold this special 90-day Power of Attorney for deregistration, due to their inability of registration.

6. Service commanders will approve and supervise all such transactions.

7. Nothing in this Manual should be construed as prohibiting the normal use of Powers of Attorney for purposes of disposition actions while both parties are present in Japan.

1025. MOTOR VEHICLE NUMBER PLATES. Privately owned motor vehicles will not be operated without both number plates properly attached to the motor vehicle. Missing number plates must be immediately reported to either the Japanese police, military police, or security police, whichever is most applicable. Application for new number plates will be initiated as soon as possible to the GOJ Land Transportation Office through the JSVRO. Application for new number plates requires the following:

1. Police report.

2. Sworn affidavit affirming the circumstances surrounding the missing number plate(s).

## CHAPTER 2

### OPERATOR'S PERMIT

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## CHAPTER 2

### DRIVER'S LICENSE

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 2

### DRIVER'S LICENSE

2000. UNITED STATES FORCES JAPAN (USFJ) DRIVER'S LICENSE. In accordance with Article X of the Status of Forces Agreement (SOFA), the Government of Japan will accept as valid, without a driving test or fee, the driver's permit issued by United States Forces Japan. An operator's license issued by authorities of the Japanese Government is not required, and should not be obtained by United States Forces personnel. Japanese employees operating vehicles owned by the United States or an instrumentality of the United States are required to possess a Government of Japan driver's license. United States Forces Japan (USFJ) Form 4 (U.S. Forces, Japan Operator's Permit for Civilian Vehicle) is the only permit authorized for United States Forces Japan personnel operating privately owned vehicles (POV) in Japan. Authorities of this Command may issue operator's permits to USFJ personnel assigned in Japan under the control of this Command, and may withdraw, suspend, or revoke such permits. Each vehicle operator will have the proper permit (as prescribed in this Chapter) in their personal possession when operating a vehicle.

1. USFJ operator's permits will expire three years from date of issue or upon loss of status under SOFA.
2. Operating of motorcycles, buses, or heavy trucks require additional testing and endorsement of the USFJ Form 4 Operator's Permit.

### 2001. REQUIREMENTS FOR OBTAINING A UNITED STATES FORCES JAPAN PERMIT FOR CIVILIAN VEHICLES (USFJ FORM 4)

1. As required by MCO 5100.19 all military personnel under the age of 26 will be required to attend a driver improvement course or show proof of attendance at a driver improvement course.
2. All Sergeants and below will present to the licensing examiner the application for USFJ Form 4 endorsed by their Company Commander.
3. All personnel applying for the USFJ Form 4 must:
  - a. Have attained their 18th birthday by the date of application.
  - b. Have no physical disabilities (sight, hearing, bodily defects) that would impair operating a motor vehicle in a safe manner.
  - c. Have no emotional instability that would warrant disqualification.

d. Have a valid operator's permit from a state or territory of the United States or a United States Government operator's permit, or have completed an authorized driver training program.

e. Pass a written examination on Japanese traffic laws, international road signs, and base regulations.

2002. FOUR-WHEELED MOTOR VEHICLES. USFJ Form 4 may be issued to United States Forces Japan applicants 18 years of age or older by the Commanding General, Marine Corps Base (MCB), Camp Smedley D. Butler or designated representative when the written driving examination has been successfully completed and under one of the following conditions:

1. The applicant presents a valid operator's permit issued by any state, territory, district, possession, or agency of the United States or Japanese Government, or successfully completed a driver's training program.

2. When the permit is a renewal of, or replacement for a lost, damaged or expired permit previously issued by this Command, a written examination is not required unless the driver's permit has been expired for six months or more.

2003. TWO-WHEELED MOTOR VEHICLES

1. Applicants must meet all requirements contained in paragraph 2001 above and:

a. Successfully complete a course approved by the Motorcycle Safety Foundation (MSF) and specifically designed for the operation of a two-wheeled motor vehicle.

b. The MSF course is offered by MCB, Camp Smedley D. Butler Driver Training School and the 313th Air Division Safety Office on Kadena Air Force Base.

c. Successful completion of an MSF course at another facility will meet all existing requirements. Individuals will be required to attend a local orientation course.

2. Applicants attending the Marine Corps Base Driver Training School must report with the following equipment:

a. Motorcycle.

b. Helmet (ANSI Standard 290.1 or Equivalent).

c. Goggles or full face shield attached to the helmet. At least one of these forms of eye protection will be worn by riders when the motorcycle is in operation.

- d. Gloves.
- e. Boots or shoes made of leather or other sturdy materials.
- f. Full length trousers, and long sleeve shirt or jacket.
- g. Reflective vest or reflective jacket; the color of this garment will be orange, lime green, or yellow.

3. Applicants who fail the motorcycle driving proficiency test twice must wait 30 days before becoming eligible for retesting. The motorcycle driving proficiency test will include a determination of the applicant's qualification for carrying a passenger. If the determination is affirmative, the applicant's USFJ Form 4 will include the words "Passenger Authorized."

#### 2004. STUDENT PERMIT

- 1. Student driver permits for four-wheeled vehicles may be issued for a 90-day period to individuals over 16 years of age. This permit is valid only when the student driver is accompanied by an adult operator licensed in accordance with this Chapter, and only while on a military installation.
- 2. Student driver permits for two-wheeled vehicles may be issued for a 90-day period to individuals 18 years of age or older for practice within a military installation when the student driver is under supervision of an instructor approved by the Safety Director.
- 3. Violations of the above requirements will result in revocation of the student permit and the denial of a regular permit for a period not to exceed six months.
- 4. Military personnel desiring to operate a POV and have never been licensed by a state, territory, or agency of the United States must complete a formal driver school. Applications to waive formal schools and be issued a student permit will be submitted to the MCB Safety Director and will be considered on a case-by-case basis.

#### 2005. MINOR'S STUDENT PERMIT

- 1. Minor's student permit for four-wheeled vehicles only may be issued to dependents 16 and 17 years of age. Permits are valid only for a 90-day period and only within a military installation. Four-wheeled vehicles will be operated only under the direct supervision of a licensed driver.
- 2. The operation of a vehicle off a military installation will result in the revocation of all driving privileges until the operator becomes 18 years of age.

2006. LIMITED FOUR-WHEELED VEHICLE PERMITS

1. Limited permits for the operation of four-wheeled vehicles on and within the installation only may be issued to dependents 16 and 17 years of age who possess an operator's permit valid in the United States or who have a certificate of completion from an approved driver training program.
2. The operation of a vehicle off a military installation will result in the revocation of all driving privileges until the operator becomes 18 years of age.
3. Written applications for limited permits will be personally delivered by the parent or legal guardian to the Marine Corps Base Safety Office with substantiating documents.

2007. LIMITED TWO-WHEELED VEHICLE PERMITS. The 30-day limited two-wheeled vehicle permit is to be used for the operation of the vehicles on base only. The limited on-base permit will be revoked if vehicles are operated off a military installation.

2008. CHAUFFEUR'S PERMITS. Upon approval of the Provost Marshal, a chauffeur's permit may be issued for a period not to exceed one year, under the following conditions:

1. Written application has been submitted in person by employee and employer including an employer's statement as to why the services of the chauffeur are required and that the chauffeur's driving will be limited to trips in which the employer's interest as a United States Forces Japan member is involved.
2. Suitable file check has been completed on the employee and such employee has in their possession a valid gate pass for entry to the installation.
3. Driver's license required by Japanese law, valid for the period of employment and for the type of vehicle to be operated is presented at the time of application.
4. Proof is presented that the liability insurance required by Chapter 2 of this Manual is in effect and provides the required protection in the event of an accident which involves the chauffeur. The license number of the vehicle which the chauffeur is authorized to operate will be indicated on USFJ Form 4.

2009. POST EXCHANGE PERMITS

1. Japanese personnel employed by the Post Exchange who are engaged in road testing or customer service may be issued operator's permit



overprinted with the letters "PX" provided they meet licensing requirements contained in this Chapter.

2. Supervisors of persons holding PX permits will retain possession of the permits except when the permits are required in the performance of duty.

2010. GOVERNMENT OPERATOR'S PERMIT. Persons operating government owned vehicles will have in their possession the following:

1. A valid SF Form 46 (Stamped with Japanese characters indicating that it is a driver's license) indicating that the person is authorized to operate that particular type of vehicle being driven.
2. Dependents of service personnel will not drive government owned vehicles unless employed by United States Forces and assigned duties requiring them to drive such vehicle.

2011. LICENSE TO BE CARRIED AND EXHIBITED ON DEMAND

1. Every licensee shall have their driver's license in their immediate possession at all times when operating a motor vehicle, and shall display the same upon demand of a police officer. However, no person charged with violating this section shall be convicted if they produce in traffic court a driver's license issued to them and valid at the time of their apprehension.
2. For the purposes of this section, "display" means the manual surrender of their license certificate into the hands of the demanding officer for inspection.

2012. UNLAWFUL USE OF LICENSE. It is unlawful for any person:

1. To display, cause or permit to be displayed, or have in their possession any cancelled, revoked, suspended, fictitious or fraudulently altered driver's license.
2. To lend their driver's license to any other person or knowingly permit the use thereof by another.
3. To fail or refuse to surrender to the Provost Marshal upon lawful demand any driver's license which has been suspended, revoked or cancelled.
4. To use a false or fictitious name in any application for a driver's license, or to knowingly make a false statement for a driver's license, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 3

### DRIVING PRIVILEGES

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completion of said training, in this case, such suspension will be for a period not less than 30 days.

#### 4. Suspension by the Provost Marshal

a. The Provost Marshal is hereby authorized to suspend the privilege to drive a motor vehicle without preliminary hearing upon a showing by record or other sufficient evidence that the licensee:

(1) Has committed an offense for which mandatory revocation of license/privilege is required upon conviction.

(2) Is incompetent to drive a motor vehicle (mental or physical impairment).

(3) Has permitted an unlawful or fraudulent use of such license.

(4) Failed to comply with vehicle registration requirements as outlined in this Manual.

(5) Used a motor vehicle for the purpose of illicit trade in goods or commodities (blackmarket activities).

(6) Was involved in an intoxicated driving incident (refusal, Driving Under Influence (DUI) or Driving While Intoxicated (DWI)).

b. Suspension initiated by the Provost Marshal under the provisions of this Manual shall not be for a period greater than 30 days. Cases which are not heard by the Traffic Court within the time period stated shall result in the reinstatement of licensee's driving privileges.

#### 5. Revocation by the Traffic Court

a. Revocation of driving privileges shall be for a specific period of not less than six months.

b. The Traffic Court shall revoke the driving privileges of any person accumulating 12 points or more in a one year period and/or convicted of the following offenses:

(1) Manslaughter (or negligent homicide by vehicle) resulting from the operating of a motor vehicle.

(2) Driving or being in actual physical control of a motor vehicle while intoxicated.

(3) Driving a motor vehicle while a habitual user, or under the influence of any narcotic or while under the influence of any other drug (including alcohol) to a degree rendering them incapable of safe operation.

(4) Use of a motor vehicle in the commission of a felony.

(5) Fleeing the scene of a traffic accident involving death or personal injury (hit and run).

(6) Perjury or making a false affidavit or statement under oath to responsible officials under law or regulation relating to the ownership or operation of a motor vehicle.

(7) Unauthorized use of a motor vehicle belonging to another, where the offense does not amount to a felony.

(8) The use of a motor vehicle to perpetrate the illicit trade of goods or commodities (blackmarket activities).

(9) Refusal to submit to a chemical test under implied consent provision of paragraph 3001 of this Manual. This suspension will be for one year in accordance with DoD Directive 1010.7.

(10) Second incident involving driving a motor vehicle while under the influence of alcohol (.05-.09% BAC); one year mandatory.

c. Administrative revocation for a period of not less than two years will be imposed by the Traffic Court against personnel apprehended while driving when a suspension or revocation of their driving privileges is in effect. Appropriate disciplinary action will be recommended by the Traffic Court on the basis of the traffic offense in addition to this administrative action.

d. In those cases where driving privileges are revoked under implied consent provisions of this Manual and the individual is subsequently convicted for an intoxicated driving incident, the revocation period will run concurrently.

e. Personnel whose privileges have been revoked must be re-tested for adequate performance prior to reissuance of the operator's permit and reinstatement of privileges.

#### 6. Retrieval of POV/GOV Drivers License

a. Personnel who appear in Traffic Court to have their case adjudicated and subsequently placed on drivers suspension or revocation, must relinquish their POV/GOV Drivers License to Traffic Court personnel. After the POV drivers license is retrieved, they are forwarded to Base Safety for retention. GOV license will be returned to the individual's Commanding Officer for disposition, as per subparagraph 3002.9.

b. The Traffic Court Section will notify in writing the Commanding Officer of those personnel who have had their drivers license suspended and or revoked. In the case of dependents and

other SOFA Status personnel, the sponsor's Commanding Officer will be notified. It is the responsibility of the Commanding Officer to retrieve said GOV and or POV license as pertaining. GOV license will be maintained in accordance with subparagraph 3002.9. POV license will be forwarded to the Base Safety Office, Marine Corps Base, Camp Smedley D. Butler, per subparagraph 3002.2.

#### 7. Reinstatement of Driving Privileges

a. Personnel who have had their driving privileges revoked must report to Base Safety after their revocation period has ended in order to be reissued a new drivers license.

b. Personnel who have had their driving privileges suspended or revoked and were assigned to Remedial Drivers Training must show their certificate of completion to Traffic Court personnel before they will be given a letter of reinstatement.

#### 8. Restricted privileges

a. Upon imposition by the Traffic Court Officer of suspension or revocation of driving privileges, the subject may appeal such action to the Commanding General, Marine Corps Base, Camp Smedley D. Butler (see paragraph 4008 for Appeals procedure). Such appeal may be predicated upon:

(1) Mission requirement.

(2) Unusual personal or family hardship; the latter of these exceptions will further assume that no reasonably available alternate means of transportation exists (e.g., carpools, public transportation, bicycling, walking, a second driver in household). Should a severe family hardship be involved, the privilege of operating the family vehicle may be transferred to another family member qualified to operate a vehicle under the provisions of paragraph 1002. Further note that the latter exception does not authorize an individual to drive on a military installation if the subject's driver's license has been suspended or revoked by state, federal or host nation civil or administrative action.

b. Within the parameters of paragraph 3002.8a, the Base Inspector is authorized to grant restricted driving privileges.

c. Individuals found to be in violation of the restriction are subject to revocation action as prescribed in paragraph 3002.5c.

#### 9. Military Vehicle Operation

a. Any action taken by the Traffic Court Officer with regards to suspension/revocation of a person's civilian driving privileges shall also apply to the operation of U.S. Government vehicles off military installations on Okinawa. If desired, commanders may issue a U.S. Government Motor Vehicle Operator's Identification

Card (SF-46) allowing the suspended/revoked individual to drive a Government vehicle on military installations "ONLY" during the period covered by the suspension/revocation.

b. U.S. Government Motor Vehicle Identification Cards (SF-46) suspended/revoked under the provisions of this Manual will be turned into the Marine Corps Base Traffic Court officials who will forward all permits to commanders concerned.

10. Adjudication of Black Market Traffic Court Cases

a. The Traffic Court Officer will adjudicate black market traffic court cases concerning all Marines on Okinawa and Navy personnel attached to Marine Corps units.

b. The Base Inspector will adjudicate the black market traffic court cases on all military dependents and civilians (and their dependents) who are affiliated with the Marine Corps on Okinawa, at the same time that the administrative hearing is conducted.

3003. DRUG/ALCOHOL PROGRAM. Persons subject to this Manual and licensed to operate a motor vehicle under the provisions of this Manual may be referred for participation in the Command Drug/Alcohol Treatment and Rehabilitation Program by the Traffic Court Officer. Successful completion of the course of treatment is a prerequisite for reinstatement of driving privileges when revocation was based on use of intoxicants.

3004. REMEDIAL DRIVER TRAINING. Persons subject to this Manual and licensed to operate a motor vehicle under the provisions of this Manual may be referred to an appropriate remedial driver training program by the Traffic Court Officer. Such referrals are at the discretion of the referring officer except in the case of drivers who have accumulated six traffic points on their driving record, or are involved in a traffic accident and their actions were found to have contributed thereto, or they have had their driving privileges revoked. In these cases, successful completion of remedial drivers training is mandatory.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 4

### CENTRALIZED TRAFFIC COURT

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 4

### CENTRALIZED TRAFFIC COURT

4000. PURPOSE. To establish a Centralized Traffic Court to take appropriate administrative action for traffic offenses committed by all personnel, including DoD personnel assigned to Marine Corps commands, and their dependents. Traffic tickets (DD Form 1408) issued to members of other United States Armed Forces, DoD civilian personnel assigned to other services, and their dependents shall be forwarded to the individual's Provost Marshal/Security Officer for action.

4001. BACKGROUND. The Marine Corps Base Provost Marshal, by authority of the Commanding General, is the Officer charged with overall staff responsibility for motor vehicle traffic supervision. To effectively administer the administrative portion of this program, a Centralized Traffic Court, as constituted herein, is established under the supervision of the Base Inspector. An appointed Traffic Court Officer shall hear cases and impose appropriate administrative sanctions on violators as set forth by MCO 5110.1 and this Manual.

4002. CENTRALIZED TRAFFIC COURT. The Centralized Traffic Court is hereby established under the authority of the Commanding General, Marine Corps Base, Camp Smedley D. Butler, and empowered to impose any or all of the sanctions (actions) described herein including the suspension or revocation of driver licenses, to order personnel into remedial driver training, drug or alcohol abatement programs or both, and to recommend to the individual's Commanding Officer disciplinary action in appropriate cases. All action taken per this Manual is administrative in nature and does not relieve a Commanding Officer of responsibility for or preclude disciplinary action in appropriate cases.

#### 4003. TRAFFIC COURT OFFICER

1. The Traffic Court Officer for field grade officers or above, DoD personnel (GM-13 or above), and dependents of O-6 and GM-15 or above will be the Base Inspector, Marine Corps Base, Camp Smedley D. Butler.

2. The Traffic Court Officer for all company grade officers, all DoD personnel GS-12 and below, all enlisted personnel, all dependents (except O-6 and GM-15 or above dependents), and all local national civilians employed by the United States Government, shall be a field grade officer appointed in writing by the Commanding General, Marine Corps Base, Camp Smedley D. Butler or designated representative.



3. All appointments as Traffic Court Officer shall be as an additional duty, as in the case of members of courts-martial, investigations, etc. Upon appointment, Traffic Court Officers will report to the Base Inspector's Office, Marine Corps Base, Camp Smedley D. Butler for briefing and assignment of the court schedule.

4004. TRAFFIC COURT LOCATION AND CONVENING TIMES

1. The Base Inspector, Marine Corps Base, Camp Smedley D. Butler will adjudicate traffic tickets issued to field grade officers or above, DoD personnel GM-13 or above and dependents of O-6 and GM-15 or above. Upon receipt of a traffic ticket, these individuals will be notified by the Military Police to contact the Base Inspector within five working days if they desire to appeal the traffic ticket. If an individual does not contact the Base Inspector as specified, it will be assumed that a plea of guilty has been offered and action will be taken against the individual driving record in accordance with Appendix A.

2. Traffic Court for all other personnel will be conducted at 0800 on Tuesday, beginning with the 2nd Tuesday of the month at Building 5716, Legal Services Support Section, 2nd deck Court Room, Camp Foster, and at 0800 on the third Thursday of each month, Building 2494, Camp Hansen. The Camp Foster location will be for all personnel living south of Kadena, and the Camp Hansen location will be for all personnel living north of Kadena Air Base. These convening times are subject to change by the Base Inspector's Office.

4005. TRAFFIC COURT RECORDS. The Provost Marshal shall maintain all Traffic Court records, individual records, and traffic tickets, and shall supply a Traffic Court Clerk to be present during court hearings.

4006. NOTICE TO APPEAR

1. The notice for a violator to appear for a hearing of the violator's case shall be given at the time the traffic ticket is issued by the Military Policeman. The appointed time, date, and location for court appearance will be noted on the reverse of all copies of the traffic ticket. Personnel will appear in the seasonal uniform of the day. Should the individual desire that the Military Policeman issuing the traffic ticket appear with them at the hearing, they should contact the Traffic Court Section, Provost Marshal's Office, with their request at least 48 hours in advance of their scheduled appearance. Persons unable to appear on their scheduled date, for adequate reasons (e.g., duty commitments, hospitalization, etc.), will notify the Traffic Court Clerk, at least 24 hours in advance of the date of their scheduled appearance to arrange for a new hearing date at 645-3501/3389.

2. Any personnel who desire to waive their appearance and plead guilty may notify the Traffic Court Clerk 24 hours in advance of their scheduled appearance. Said personnel who waive their appearance also waive their right to appeal.

3. Persons subject to this Manual who are lawfully cited for a traffic offense by a person other than a Military Policeman attached to the Camp Smedley D. Butler, Military Police Department will, upon receipt of said violation notice by the Traffic Court Clerk, be notified in writing of the date and time to appear before the Base Traffic Court.

#### 4007. TRAFFIC COURT RESULTS

1. Following each Traffic Court session, the Base Inspector shall distribute the results of that session to the Commanders concerned, Provost Marshal, Base Safety Director, Motor Transport Officer, and the Commanding General.

2. The Traffic Court Result Docket shall indicate the name of the violator, their rank, organization, the violation before the court, and the action taken by the court and/or the Provost Marshal.

3. Traffic Court results, to include suspension or revocation action, shall be effective immediately when an individual is determined to have been a violator at a traffic hearing.

4008. APPEAL OF ADMINISTRATIVE ACTION. Each person upon whom administrative sanctions have been imposed has the right to appeal the action. Such appeal shall be forwarded in writing, via the individual's administrative chain of command and the Marine Corps Base Provost Marshal or installation law enforcement officer to the Commanding General, Marine Corps Base, Camp Smedley D. Butler (Base Inspector) within 10 working days of the date of the action. The Provost Marshal shall forward all documents pertinent to the case to the Base Inspector for review. Upon completion of the Base Inspector's review, the Inspector will act upon all cases heard by the Traffic Court Officer and forward the other cases to the Chief of Staff, Marine Corps Base with comments and recommendations as applicable. Until the appeal is either denied or affirmed, the action of the Traffic Court or Base Inspector will remain in effect.

4009. TRAFFIC POINT SYSTEM. The point system control of the vehicle operating privileges will be established and administered in conformance with this Manual for the purpose of providing commanders with an impartial and uniform administrative device for evaluating an individual's driving performance. Assessment of points for a moving violation will not be construed as disciplinary

action. This system is not intended to interfere in any way with the reasonable exercise of the Commander's prerogative to grant, suspend, revoke, or refuse to grant the operating privileges, without regard for point assessment made under this system.

## 1. Application

a. The point system applies to all military and civilian personnel authorized to operate privately owned and/or government owned vehicles under the provisions of this Manual.

b. Points will be assessed for violations of this Manual for infractions both on and off military installations.

c. The use of the point system prescribed in Appendix A is mandatory. This system is not subject to modification or alteration. Points will be assessed by the Traffic Court Officer or the Base Inspector.

d. Suspension of driving privileges may be imposed in addition to points at the discretion of the Traffic Court Officer or the Base Inspector.

## 2. Procedures

a. Normally, administrative processing and disposition of violations will be accomplished within a 21 day period, inclusive of the date on which the Armed Forces Traffic Ticket (DD Form 1408) was issued.

b. On receipt of a traffic ticket or other report of a moving violation, the Traffic Court Officer or person otherwise designated by the Commanding General, Marine Corps Base will conduct an inquiry and/or take appropriate administrative action. For those cases involving judicial or nonjudicial actions, the report will be forwarded to the individual's Commanding Officer for action.

c. On receipt of the report of action taken, the Provost Marshal's Office will enter the number of points assessed or indicate suspension or revocation of the driving privileges on the individual's driving record. Points will not be assessed nor the driving privileges suspended or revoked if the report of action taken indicated that neither disciplinary action and/or administrative action is appropriate.

d. When the Japanese Police Liaison official in the Office of the Provost Marshal is notified of a conviction or payment of fine or forfeiture of bond for a traffic violation adjudicated by Civil Courts, the Provost Marshal will notify the Base Inspector who in turn will assess the appropriate number of points on the individual's driving record and initiate suspension or revocation procedures when warranted. The individual concerned will be notified of point assessments by the Provost Marshal through normal channels.

e. To maximize the effective use of driver improvement action:

(1) Advisory letters will be sent to the individual on accumulation of six traffic points within a six month period.

(2) Commander's counseling or driver improvement interview of the individual on accumulation of more than six points but less than 12 traffic points within a six month period. Counseling or interview should result in recommendations designed to improve driver's performance.

(3) Referral for medical evaluation when an individual driver, based on reasonable belief, has mental or physical limitations which have had or may have an adverse effect on their driving performance.

(4) Attendance at remedial driver training following the identification of the individual as a problem driver or whenever a Commander concludes that such training may improve the subject's driving performance.

f. Individuals whose driving privileges are suspended or revoked (including the accumulation of traffic points) will be notified in writing through official channels of the specific driving privileges withdrawal action. The revocation of driving privileges based upon accumulation of traffic points shall be for a period of not less than six months. Ordinarily, a longer period of loss of driving privileges should be imposed on the basis of flagrancy and severity of moving violations and response to previous driver improvement measures. In any case, the individual shall be required to successfully complete a prescribed course in remedial driver training before the privileges are reinstated.

g. Points assessed against an individual will remain in effect for point accumulation purposes for a consecutive 24 month period, or until separation from the service (not applicable in cases of immediate reenlistment, change of component, military retirement and continuation of vehicle registration as retiree or reemployment as civilian) or final termination of employment, whichever is sooner. The review of driver records in connection with deletion of traffic points should be accomplished routinely as records are required to be handled, i.e., to update, to record new offenses, to forward to new duty station, etc. The termination of a revocation period will, of itself, warrant the mandatory removal from the driver record of all points assessed prior to the driving privileges withdrawal action.

h. Removal of points does not constitute authority to remove driver record entries for moving violations, chargeable accidents, suspensions, or revocations of driving privileges. Driver record entries will remain posted on individual driver records for periods as specified below:

(1) Chargeable non-fatal traffic accidents/moving violations  
- three years.

(2) Nonmandatory suspensions or revocations - five years.

(3) Mandatory revocations - seven years.

i. Procedures will be established to assure prompt notification of the Provost Marshal's Office that an individual assigned to or employed on the installation is being transferred to another installation, released from military service, or terminates employment.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 5

### POLICE TRAFFIC SUPERVISION

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 5

### POLICE TRAFFIC SUPERVISION

#### 5000. MILITARY POLICE PATROL AND INVESTIGATIVE ACTIVITIES

1. For the purpose of this directive, the term "U.S. Forces Japan (USFJ) personnel" includes members of the U.S. Armed Forces, the civilian component, and dependents of the U.S. Armed Forces and civilian component.
2. In accordance with agreements with the Government of Japan (GOJ), the maintenance of order and discipline among USFJ personnel outside the boundaries of USFJ facilities or areas is the responsibility of USFJ law enforcement officials. Included in this function and responsibility are off-base streets and highways on which the enforcement of traffic laws by Military Police personnel shall be limited to citations of violations observed and apprehension of individuals driving under the influence of alcohol or drugs.
3. Article XVII of the Status of Forces Agreement states that the right to exercise primary jurisdiction may be waived by either U.S. Forces Japan or the Government of Japan. Accordingly, Military Police personnel are to be prepared to assume responsibility to investigate incidents involving U.S. Forces Japan personnel that occur outside USMC/USN facilities when the Japanese Police decline to investigate.
4. Punitive action taken by Japanese authorities for violations of Japanese Traffic Control Laws or Regulations does not preclude the assessment of traffic points (Chapter 3). When offenses violate the Uniform Code of Military Justice (UCMJ), and the Government of Japan does not exercise jurisdiction, Commanders are authorized to take appropriate disciplinary action. Whether a traffic offense violates the UCMJ or not, administrative action (traffic point assessment) will be taken.
5. Within their area of responsibility, Military Police will investigate all traffic accidents that occur off base which involve USFJ personnel.

5001. ALCOHOL AND DRUG COUNTERMEASURES. Enforcement will include measures for detection, apprehension, and testing of personnel who are suspected of driving under the influence of alcohol or drugs to include employment of special patrols during periods when driving while under the influence violations most frequently occur.

1. Detection and Apprehension. Law enforcement personnel normally detect drunk driving violators by observing unusual, abnormal, or illegal driver behavior. Personnel exhibiting such behavior will

be stopped immediately to determine the cause of the behavior and/or take appropriate enforcement action.

2. Testing. Under the implied consent policy in paragraph 3001 of this Manual, any person who operates a motor vehicle on Okinawa is deemed to have given consent to a chemical test or tests of their blood or breath, for the purpose of determining the alcoholic content of their blood if apprehended, cited, or stopped for any reason arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle, while under the influence of intoxicating liquor or drugs.

3. Refusal. If a person suspected of driving under the influence refuses the request of any police officer to submit to a chemical test, none will be given. The police officer invoking implied consent or their supervisor verifying such action will warn the individual that their failure to submit or complete such test will result in the revocation of their driving privileges for one year. Such person shall also be advised that they do not have the right to have an attorney present before stating whether they will submit to a test or during the administration of the test. If such person refuses to submit to or fails to complete a chemical test, the apprehending officer will complete a sworn statement that they had reasonable cause to believe such person had been driving, or was in actual physical control of a motor vehicle while under the influence of alcohol, or drugs and that the person refused to submit to, or failed to complete the test after being requested to do so. This statement shall attest:

a. That reasonable cause existed to believe the suspected person had been driving or was in actual physical control of a motor vehicle on Okinawa while under the influence of drugs, narcotics or alcohol.

b. The facts and circumstances constituting the reasonable cause.

c. The fact that the subject declined to submit to a chemical test upon request and after being advised of the applicable portions of the implied consent provisions of this Manual.

4. Upon receipt of the sworn statement, the Traffic Court Officer hearing the case will revoke the individual's privilege to operate a privately owned vehicle on Okinawa for a period of one year, unless the Traffic Court Officer determines after investigation that:

a. There was no reasonable cause for the request for a chemical test.

b. The subject's cause for refusing to submit to the test was reasonable.



5002. TRAFFIC VIOLATIONS

1. United States Forces Japan traffic offenders will be cited on DD Form 1408 (Armed Forces Traffic Ticket), NAVMC 10920 (Incident/Complaint Report) and/or by a Japanese traffic ticket (off base). The Provost Marshal will forward reports of violations received from the Japanese authorities to the Base Traffic Section. Traffic violations committed on base by Japanese personnel will be reported to the U.S. Forces supervisor of the Japanese personnel. The Provost Marshal will be responsible for the administration of the traffic point assessment program per Chapter 4 and Appendix A of this Manual.

2. Any 1408 citation issued for DWI and DUI's will be forwarded to the Staff Judge Advocate (SJA) within 24 hours of issuance or the next working day along with other supporting documentation establishing probable cause and the reported violation. The SJA will review the provided documentation to render a decision on the reported violation. During this review process, the violator is placed on temporary drivers suspension awaiting the decision of the SJA.

3. Any member of U.S. Forces, Japan may make an official complaint against any other member for any traffic violation that they observe, whether the violation occurred on or off base. The complainant will report to any military police district and fill out the complaint form, which will then be forwarded to Traffic Court and adjudicated in the same manner as a traffic citation written by a military police officer.

5003. TRAFFIC VIOLATION REPORTS. The procedures established in paragraphs 5004 through 5006 of this Chapter will be adhered to by personnel of the Provost Marshal's Office in the performance of their duties.

5004. TRAFFIC CITATIONS BY MILITARY POLICE

1. Any person cited under the provisions of this Manual by a military policeman or a Marine Corps Roadmaster, shall be informed of the time, date, and place of the traffic court hearing. Assignment of persons to traffic court will be per Chapter 4 of this Manual. Marine Corps Roadmasters will issue citations which require processing by Traffic Court personnel for moving violations only.

2. Unless otherwise directed by the Military Policeman or Traffic Court Clerk, any such person may enter a plea of guilty or nolo contendere (no contest) with the Traffic Court Clerk, 24 hours prior to the specified time and date of Traffic Court and thereby shall not be required to appear before said court.

3. Citations issued to personnel not under the authority of the Marine Corps Base, Camp Smedley D. Butler Traffic Court (i.e., Air Force, Marine and Navy personnel assigned to units on Kadena AFB,

U.S. Army personnel, civilians employed at any of the above locations, and their dependents) will be forwarded by Traffic Court personnel to the appropriate service agency for action.

5005. TRAFFIC CITATIONS BY MILITARY POLICE (EQUIPMENT VIOLATIONS)

1. Any person cited for driving with defective equipment in violation of Chapter 7 of this Manual shall be given five working days to correct the defect and report to the nearest Military Police District Desk Sergeant for verification. Persons cited for illegal modifications in violation of Chapter 7 of this Manual may also be given five working days to correct the first illegal modification and report to the Joint Forces Vehicle Registration Office, Bldg S-5956, Camp Foster, for verification.

2. All such persons shall also be advised that they may only drive their vehicle from the place of citation to a place of repair or from the place of citation to their residence, and then to a place of repair.

3. The provisions of this Chapter shall not be applicable when a vehicle is deemed unsafe for further operation by the police officer. When deemed unsafe the driver shall be so advised and either the vehicle will be impounded or secured at the scene awaiting wrecker service.

5006. TRAFFIC CITATIONS BY OTHER POLICE AGENCIES. Upon receipt of a traffic violation report issued to a person subject to this Manual by a foreign law enforcement agency, the Provost Marshal shall make the following disposition:

1. Citations that were issued to person(s) subject to this Manual and adjudicated by a foreign jurisdiction, will be administratively processed by the Marine Corps Base, Camp Smedley D. Butler Traffic Court in accordance with MCO 5110.1 (e.g., Traffic points and/or suspension/revocation will be administratively awarded when applicable).

2. United States Forces Japan personnel who are cited for a traffic offense by GOJ authorities and are issued an "official duty" certificate shall be required to appear before the Marine Corps Base Traffic Court Officer for disposition of the traffic offense. Notification to appear in court will be made per paragraph 5004.

5007. IMPOUNDMENT OF VEHICLES. Law enforcement personnel will impound privately owned vehicles registered to U.S. Forces Japan members found in violation of any of the following reasons:

1. Condition of Registration. As a condition of registering a vehicle with the Joint Services Vehicle Registration Office, personnel

agree to the impoundment of vehicles so registered when sufficient cause exists. Personnel are further liable for reimbursing the U.S. Government for the costs associated with the towing and storage of privately owned vehicles.

2. Immediate Impound. Vehicles will be immediately impounded without notice when any of the following criteria is met:

- a. The POV is suspected of having been involved in a crime and may contain evidence of that criminal activity.
- b. To prevent the operation of a mechanically unsafe vehicle.
- c. The vehicle has been used in black marketing activities.
- d. The operator is apprehended for driving while intoxicated (DWI).
- e. The vehicle displays a military or Japanese registration that has been expired in excess of thirty days.
- f. The vehicle is a traffic hazard.
- g. The driver is incapable of safe driving.
- h. The vehicle has been reported as stolen.
- i. The vehicle is suspected of being involved in a hit and run traffic accident with major property damage or any injuries.
- j. The vehicle is parked in a "tow away" zone.
- k. When it is determined that the registered owner has PCS'd and there is no power of attorney (POA) on file at the Joint Services Vehicle Registration Office (JSVRO) or the existing POA is expired.
- l. Failure to pay Japanese Road Tax.
- m. The vehicle is parked in an official fire lane.

3. Seventy-two Hour Notice. All other vehicles found in violation of military or Japanese registration laws and/or found apparently abandoned on Marine Corps installations, will be given a 72 hour impound notice and/or a traffic citation requiring the owner to take the necessary corrective action within that period of time.

4. Disabled vehicles parked on base will be removed by the owner as soon as possible.

5. Vehicles, which have been impounded for any of the above reasons, will remain in the Joint Services Vehicle Impound Lot until completion of investigation, if applicable, or until the registered owner,

or someone appointed by a power of attorney, can retrieve and correct whatever discrepancy is on the vehicle which caused it to be originally impounded.

6. Vehicles abandoned by U.S. Forces Japan personnel who have permanently departed Japan will be immediately disposed of in accordance with the provisional transfer of title in paragraph 4 of the owner's Motor Vehicle Traffic Supervision Statement of Responsibility (Appendix D) and DoD 4160.21-M. Vehicles left abandoned or unclaimed for which no statement of responsibility is on file will be disposed of in accordance with paragraph 6-6 of MCO 5110.1 and DoD 4160.21-M. However, no vehicle may be disposed of until all known lien holders have been provided notice of such anticipated disposal and an opportunity to claim the vehicle.

5008. ACCIDENTS AND ACCIDENT REPORTING POLICY. Persons involved in a motor vehicle accident shall immediately report the occurrence to the nearest Military Police Agency by the most expeditious means.

1. Accident Involving Death, Personal Injury or Property Damage The driver of any vehicle involved in an accident resulting in injury to, or the death of, any person, or property damage shall immediately stop their vehicle at the scene of such accident or as close thereto as possible and shall then remain at the scene of the accident until they have fulfilled the requirements of paragraphs 5008.2 and 5008.3 below.

2. Duty to Give Information and Render Aid. The driver of any vehicle involved in an accident resulting in injury to, or death of, any person or damage to any vehicle or other property which is driven or attended by any person shall give their name, address, and the registration number of the vehicle they are driving, and shall upon request, exhibit their license or permit to drive to any person injured in such accident, or to the driver or occupant of, or person attending any vehicle or other property damaged in such accident and shall give such information and upon request exhibit such license or permit to any police officer at the scene of the accident or who is investigating the accident and shall render to any person injured in such accident reasonable assistance.

a. In the event that none of the persons specified are in condition to receive the information to which they otherwise would be entitled, and no police officer is present, the driver of any vehicle involved in such accident, after fulfilling all other requirements of paragraph 5008.3 below insofar as possible on their part to be performed, shall forthwith report such accident to the nearest office of a duly authorized police authority and submit thereto the information required by this paragraph.

b. The duly authorized police authority on base is the Provost Marshal and off base is both the Japanese National Police and Provost Marshal.

### 3. Duty Upon Damaging Unattended Vehicle or Other Property

a. The driver of any vehicle which collides with, or is involved in an accident with any vehicle, or other property which is unattended resulting in any damage to such other vehicle, or property shall immediately stop and shall:

(1) Locate and notify the operator or owner of such vehicle or other property of their name, address, and the registration number of the vehicle they are driving.

(2) Notify the nearest office of the appropriate police authority.

b. Every such stop shall be made without obstructing traffic more than is necessary.

### 4. Immediate Notice of Accident

a. The driver of a vehicle involved in an accident resulting in injury to, or death of, any person or damage to property shall immediately by the quickest means of communication give notice of such accident to the nearest office of a duly authorized police authority.

b. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required above and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause the notice to be given.

### 5. Duty of Witness to Remain at Accident Scene

a. Witnesses to an accident shall not depart the scene of a traffic accident until their identity has been furnished to law enforcement personnel.

b. Witnesses to an accident shall give any assistance needed when requested by law enforcement personnel.

5009. DUTY TO INVESTIGATE TRAFFIC ACCIDENTS. Accident investigation and/or Traffic Personnel of the Provost Marshal's Office shall investigate all traffic accidents occurring within their area of responsibility, both on and off base, which involve USFJ personnel.

### 5010. REPORT OF ACCIDENT TO MILITARY AUTHORITIES

1. All accidents occurring both on and off base shall be reported within 72 hours to the nearest law enforcement agency having jurisdiction at the accident location.

2. The Japanese Police will be notified of all accidents occurring off base.

5011. ACCIDENTS INVOLVING JAPANESE NATIONALS. Any person involved in a traffic accident with a Japanese National shall comply with the condolence procedures outlined in COMNAVFORJAPANINST 5800.37, when appropriate.

5012. GOVERNMENT WRECKER SERVICE

1. U.S. Government wrecker will not be used to tow privately owned vehicles except upon official request from the Provost Marshal's Office. Most privately owned vehicles requiring impoundment in accordance with the requirements of this Order will be towed by personnel of the Joint Services Vehicle Impound Lot (JSVIL); however, on those occasions when JSVIL equipment is not adequate due to the physical disability or location of a particular vehicle, government wrecker service will be provided. Since the U.S. Marine Corps is tasked with running the JSVIL, this wrecker service will be provided for vehicles located throughout Okinawa.

2. When commercial wrecking service is utilized, all costs of such service(s) shall be paid by the legal/registered owner of the vehicle utilizing such service(s).

5013. LOSS, THEFT AND RECOVERY OF VEHICLES. Whenever a vehicle is lost, stolen, or recovered, the individual discovering the loss or theft or making the recovery will report the following promptly in person or by telephone to the Military Police:

1. Type of vehicle.
2. Year and make.
3. License number and/or USN/USMC registration number.
4. Serial number.
5. Identifying marks.
6. Time, date, and exact location of vehicle when lost, stolen, or recovered.
7. Circumstances surrounding the loss, theft, or recovery.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 6

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 6

### RULES OF THE ROAD

6000. REQUIRED OBEDIENCE TO TRAFFIC LAWS. It is unlawful for any person to do any act forbidden or fail to perform any act required in this Chapter. Violations of the provisions of this Manual, unless specifically listed in Appendix A or otherwise mandated by separate order, may be assessed a maximum of three points by the Traffic Court Officer or Base Inspector. In all cases, unless otherwise mandated, suspensions/revocations may be imposed in addition to points assessment.

6001. OBEDIENCE TO POLICE OFFICERS. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, fireman, or uniformed adult school crossing guard invested by competent authority with authority to direct, control or regulate traffic.

6002. PERSONS RIDING ANIMALS OR DRIVING ANIMAL-DRAWN VEHICLES

Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Manual except those provisions which, by their very nature, can have no application.

6003. PERSONS WORKING ON HIGHWAYS EXCEPTIONS. Unless specifically made applicable, the provisions of this Manual except those contained in paragraphs 6060 through 6063 hereof, shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

6004. AUTHORIZED EMERGENCY VEHICLES

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to, but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated herein.

2. The driver of an authorized emergency vehicle may:

a. Park or stand, irrespective of the provisions of this Chapter.

b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

c. Exceed the maximum speed limits so long as he does not endanger life or property.

d. Disregard regulations governing direction of movement or turning in specified directions, so long as he does not endanger life or property.

3. The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and/or visual signals except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from the front of the vehicle.

4. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.

#### 6005. OBEDIENCE TO AND REQUIRED TRAFFIC CONTROL DEVICES

1. The driver of any vehicle shall obey the instructions of any official traffic control devices applicable thereto placed or held in accordance with the provisions of this Manual, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Manual.

2. No provision of this Manual for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

3. Whenever official traffic control devices are placed or held in position approximately conforming to the requirements of this Manual, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary is established by competent evidence.

4. Any official traffic control device placed or held pursuant to the provisions of this Manual and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Manual, unless the contrary is established by competent evidence.

6006. TRAFFIC CONTROL SIGNAL LEGEND. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors Green, Red, and Yellow shall be used, except for special pedestrian signals carrying a word legend, and

said lights shall be indicated and apply to drivers of vehicles and pedestrians as follows:

1. Green Indication

a. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

b. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

c. Unless otherwise directed by a pedestrian control signal, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

2. Steady Yellow Indication

a. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

b. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

3. Steady Red Indication

a. Vehicular traffic facing a steady red signal shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown, except as provided in subparagraph 6006.3b below, and any vehicle may turn left on red after coming to a complete stop and ensuring the turn can be made safely; on base only.

b. When a sign is in place permitting a turn, vehicular traffic facing a steady red signal may cautiously enter the intersection to make the turn indicated by such sign after stopping as required by subparagraph 6006.3a above. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

c. Pedestrians facing a steady red signal alone shall not enter the roadway.

4. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except for those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

#### 6007. FLASHING SIGNALS

1. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, it shall require obedience by vehicular traffic as follows:

a. Flashing Red (Stop Signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

b. Flashing Yellow (Caution Signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal with caution.

2. Lane Direction Control Signals. When lane direction control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.

#### 6008. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS

1. No person shall place, maintain or display upon, or in view of any highway, any unauthorized sign, signal, marking or device which purports to be, or is an imitation of, or resembles, an official traffic control device or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of an official traffic control device.

2. This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

3. Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

6009. INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES. No person shall, without lawful authority, attempt to or in fact alter, twist, deface, injure, knock down or remove any official traffic control device or any inscription, shield or insignia thereon, or any other part thereof.

6010. DRIVING ON LEFT SIDE OF ROADWAY EXCEPTIONS

1. Upon all roadways of sufficient width a vehicle shall be driven upon the left half of the roadway, except as follows:

a. When overtaking and passing another vehicle proceeding in the same direction, provided, any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard.

b. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon.

c. Upon a roadway restricted to one-way traffic.

2. Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the left-hand lane then available for traffic, or as close as practicable to the left-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a right turn at an intersection or into a private road or driveway.

3. Upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the right of the center line of the roadway except when authorized by official traffic control devices designating certain lanes to the right side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted herein. However, this subsection shall not be interpreted as prohibiting the crossing of the center line in making a right turn into or from an alley, private road or driveway.

6011. PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS. Drivers of vehicles proceeding in opposite directions shall pass each other to the left, and upon roadways having width for not more than one



line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

6012. OVERTAKING A VEHICLE ON THE RIGHT. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the right thereof at a safe distance and shall not again drive to the left side of the roadway until safely clear of the overtaken vehicle.

2. Except when overtaking and passing on the left is permitted, the driver of an overtaken vehicle shall give way to the left in favor of the overtaking vehicle on audible signal and shall not increase the speed of the driver's own vehicle until completely passed by the overtaking vehicle.

6013. WHEN OVERTAKING ON THE LEFT IS PERMITTED

1. The driver of a vehicle may overtake and pass upon the left of another vehicle only under the following conditions:

a. When the vehicle overtaken is making or about to make a right turn.

b. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction.

2. The driver of a vehicle may overtake and pass another vehicle upon the left only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

6014. LIMITATIONS ON OVERTAKING ON THE RIGHT

1. No vehicle shall be driven to the right side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such right side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for vehicles approaching from

the opposite direction, before coming within 200 feet of any approaching vehicle.

2. No vehicle shall be driven on the right side of the roadway when:

a. Approaching or upon the crest of a grade or curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

b. Approaching within 100 feet of or traversing any intersection.

c. The view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel.

3. The foregoing limitations shall not apply upon a one-way roadway, nor under the conditions described in paragraph 6010, nor to the driver of a vehicle turning right into or from an alley, private road, or driveway.

#### 6015. NO-PASSING ZONES

1. The Commanding General, Marine Corps Base, Camp Smedley D. Butler is hereby authorized to determine those portions of any highway under the Commanding General's jurisdiction where overtaking and passing or driving to the right of the roadway would be especially hazardous and may, by appropriate signs or markings on the roadway, indicate the beginning and end of such zones and when such signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions thereof.

2. Where signs or markings are in place to define a no-passing zone, no driver shall at any time drive on the right side of the roadway within such no-passing zone or on the right side of any pavement striping designed to mark such no-passing zone throughout its length.

3. This section does not apply under the conditions described in paragraph 6010.1c nor to the driver of a vehicle turning right into or from an alley, private road, or driveway.

#### 6016. ONE-WAY ROADWAYS AND ROTARY TRAFFIC ISLANDS

1. The Commanding General, Marine Corps Base with respect to highways under the Commanding General's jurisdiction, may designate any highway, roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction at all or such times as shall be indicated by official traffic control devices.

2. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by official traffic control devices.

3. A vehicle passing around a rotary traffic island shall be driven only to the left of such island.

6017. DRIVING ON ROADWAYS LANED FOR TRAFFIC. Wherever any roadway has been divided into two or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply:

1. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

2. Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a right turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic control devices.

3. Official traffic control devices may be erected directing specified traffic to use a designated lane in those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway. Drivers of vehicles shall obey the directions of every such device.

4. Official traffic control devices may be installed prohibiting the changing of lanes or sections of roadway and drivers of vehicles shall obey the directions of every such device.

6018. FOLLOWING TOO CLOSELY. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

6019. DRIVING ON DIVIDED HIGHWAYS. Whenever any highway has been divided into two or more roadways by leaving an intervening space or by a physical barrier, or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the left-hand roadway unless directed, or permitted to use another roadway by official traffic control devices or police officers. No vehicle shall be driven over, across, or within any such dividing space, barrier or section,

except through an opening in such physical barrier, or dividing section or space or at a cross-over or intersection as established, unless specifically authorized by public authority.

6020. RESTRICTED ACCESS. No person shall drive a vehicle onto or from any controlled access roadway except at such entrances and exits as are established by competent authority.

6021. RESTRICTIONS ON USE OF CONTROLLED ACCESS ROADWAY

1. The Commanding General, Marine Corps Base, by order may regulate or prohibit the use of any controlled-access roadway (or highway) within the Commanding General's jurisdiction by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic.

2. The Commanding General, Marine Corps Base, Camp Smedley D. Butler upon adopting any such prohibition, shall erect and maintain official traffic control devices on the controlled-access highway on which such prohibitions are applicable and when in place no person shall disobey the restrictions stated on such devices.

6022. VEHICLE APPROACHING OR ENTERING INTERSECTION

1. When two vehicles approach or enter an intersection from different highways at approximately the same time, the driver of the vehicle on the right shall yield the right of way to the vehicle on the left.

2. The right of way rule declared in the above paragraph is modified at through highways and otherwise as stated in this Chapter.

6023. VEHICLE TURNING RIGHT. The driver of a vehicle intending to turn to the right within an intersection or into an alley, private road or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

6024. VEHICLE ENTERING STOP OR SLOW INTERSECTION

1. Preferential right of way may be indicated by stop signs or yield signs as authorized in this Chapter.

2. Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk

on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways.

3. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways. Provided, however, that if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of failure to yield right of way.

6025. VEHICLE ENTERING HIGHWAY FROM PRIVATE ROAD OR DRIVEWAY

The driver of a vehicle about to enter or cross a roadway from any place other than another roadway shall yield the right of way to all vehicles approaching on the roadway to be entered or crossed.

6026. OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES

1. Upon the immediate approach of an authorized emergency vehicle, to include a police vehicle, making use of audible and/or visual signals, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to and as close as possible to the left-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

2. This paragraph shall not serve to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

6027. PEDESTRIAN OBEDIENCE TO TRAFFIC CONTROL DEVICES AND TRAFFIC REGULATIONS. A pedestrian shall obey the instructions of any

official traffic control device applicable to the pedestrians, unless otherwise directed by a law enforcement officer.

6028. PEDESTRIANS' USE OF CROSSWALKS

1. When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be, to so yield to a pedestrian crossing the roadway on which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite side of the roadway as to be in danger.
2. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
3. Whenever any vehicle is stopped at a marked crosswalk or at any other location to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
4. Pedestrians shall move, whenever practicable, upon the left half of crosswalks.

6029. CROSSING ROADWAYS AT POINTS OTHER THAN CROSSWALKS

1. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.
2. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except at either of the intersections in the appropriate crosswalk, whether marked or unmarked.
3. No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices or law enforcement officer.

6030. PEDESTRIANS ON HIGHWAY

1. Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to move along or upon an adjacent roadway.
2. Where a sidewalk is not available, any pedestrian walking along or upon a highway shall walk only on the shoulder, as far as practicable from the edge of the roadway.

3. Where neither a sidewalk nor a shoulder is available, any pedestrian walking along or upon a highway shall walk as near as practicable to an outside edge of the roadway, and if on a two-way roadway, shall walk only on the extreme right side of the roadway.

4. Except as otherwise provided in this Chapter, any pedestrian upon a roadway shall yield the right of way to all vehicles upon the roadway.

6031. PEDESTRIANS SOLICITING RIDES. No person shall stand in a roadway for the purpose of soliciting a ride.

6032. PEDESTRIANS RIGHT OF WAY ON SIDEWALKS. The driver of a vehicle crossing a sidewalk shall yield the right of way to any pedestrian and all other traffic on the sidewalk.

6033. TRAFFIC LAWS APPLY TO BICYCLISTS

1. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

2. Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle as stated herein, except as to special regulations in this Chapter and except as to those provisions which by their nature can have no application.

6034. RIDING ON ROADWAYS AND BICYCLE PATHS

1. Every person operating a bicycle upon a roadway shall ride as near to the left side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

2. Persons riding bicycles upon a roadway shall not ride two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

3. Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use that path and shall not use the roadway.

6035. LAMPS AND OTHER EQUIPMENT ON BICYCLES

1. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a

distance of at least 500 feet to the front and with a red reflector on the rear which shall be visible from distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

2. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

3. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

6036. CARRYING ARTICLES WHILE OPERATING A BICYCLE. No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handlebars.

6037. RIDING ON BICYCLES OR SKATEBOARDS

1. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

2. No bicycle or skateboard shall be used to carry more persons at one time than the number for which it was designed and equipped.

3. It is strongly recommended that every person riding a bicycle wear the following safety equipment, according to the location of the ride:

- a. Housing area: Reflective vest.
- b. Any other public area: Reflective vest and safety helmet.
- c. BMX track: Safety helmet, knee and elbow pads, and gloves.

6038. SKATEBOARDS, ROLLER SKATES, AND ROLLER BLADES

1. Every person riding a skateboard or roller skating shall utilize primarily those areas specifically designed or designated for use of skateboards or roller skates. Skateboards or roller skates should not be used in areas where the rider/wearer must compete with either vehicular or pedestrian traffic to the extent that it is unsafe to do so. Roller skating and roller blading will follow the same guide lines as jogging, paragraph 6040.



2. It is strongly recommended that any person riding a skateboard or roller skating wear protective equipment specifically designed for such purposes (e.g., safety helmet, knee and elbow pads, and gloves).

6039. CLINGING TO VEHICLES. No person riding upon any bicycle, skateboard, coaster, roller skates, sled, or toy vehicle shall in any way attach the same or themselves to any vehicle upon a roadway.

6040. RUNNING AND JOGGING

1. All persons jogging or running along any roadway will run on the sidewalk or at least 18-inches from the roadway's edge facing traffic, except where construction of the roadway precludes such.

2. Jogging or running on the roadway is prohibited.

3. Persons jogging or running shall wear fluorescent vests during hours of darkness.

6041. USE OF HEADPHONES OR EARPHONES. The wearing of portable headphones, earphones, or other listening devices while operating a motor vehicle, or jogging, running, walking, skateboarding, roller skating, or bicycling on or along roadways or streets is prohibited.

6042. DRIVERS TO EXERCISE DUE CARE. Notwithstanding other provisions of this Chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human powered vehicle. Drivers shall give an audible signal when necessary and shall exercise proper precautions upon observing any child or any obviously confused, incapacitated, or intoxicated person.

6043. DRIVING THROUGH SAFETY ZONE PROHIBITED. No vehicle shall at any time be driven through or within a safety zone.

6044. REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTION

The driver of a vehicle intending to turn shall do so as follows:

1. Left Turns. The approach for a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

2. Right Turns. The driver of a vehicle intending to turn right at any intersection shall approach the intersection in the extreme right-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and, after entering the intersection, the turn shall be made so as to leave the intersection in a lane

lawfully available to traffic moving in such direction upon the roadway being entered. Whenever practicable, the right turn shall be made in that portion of the intersection to the right of the center of the intersection.

3. The Commanding General, Marine Corps Base, Camp Smedley D. Butler may cause official traffic control devices to be placed within or adjacent to intersections, and thereby require and direct that a different course from that specified in this Chapter be traveled by vehicles turning at an intersection, and when such devices are so placed, no driver of a vehicle shall turn at an intersection other than as directed and required by such devices.

6045. LIMITATIONS ON TURNING AROUND

1. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety, and without interfering with other traffic.

2. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

6046. STARTING PARKED VEHICLE. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

6047. TURNING MOVEMENTS AND REQUIRED SIGNALS

1. No person shall turn a vehicle or move right or left upon a roadway unless, and until such movement can be made with reasonable safety nor without giving an appropriate signal in the manner hereinafter provided.

2. A signal of intention to turn or move right or left when required shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

3. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is an opportunity to give such signal.

4. The signals provided for in paragraph 6048 shall be used to indicate an intention to turn, change lanes, or start from a parked position and shall not be flashed on one side only on a parked or disabled vehicle, or flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear.

6048. SIGNALS BY HAND AND ARM OR SIGNAL LAMPS

1. Any stop or turn signal when required herein shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subparagraph 6048.2 below.

2. Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds 24 inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to any single vehicle, and/or any combination of vehicles.

6049. METHOD OF GIVING HAND AND ARM SIGNALS. All signals herein required given by hand and arm shall be given from the right side of the vehicle in the following manner and such signals shall be indicated as follows:

1. Right turn — Hand and arm extended horizontally.
2. Left turn — Hand and arm extended upward.
3. Stop or decrease speed — Hand and arm extended downward.

6050. EMERGING FROM ALLEY, DRIVEWAY OR BUILDING. The driver of a vehicle emerging from an alley, building, private road, or driveway shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, road or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon.

6051. OVERTAKING AND PASSING SCHOOL BUS

1. The driver of a vehicle upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching the school bus when there is a visual signal in operation and shall not proceed until the school bus resumes motion or the driver is signaled by the school bus driver to proceed, or the visual signals are no longer actuated.

2. Every bus used for the transportation of school children shall bear upon the front and rear thereof plainly visible signs containing the words "SCHOOL BUS" in letters not less than eight inches in height, and in addition shall be equipped with visual signals which shall be actuated by the driver of the school bus whenever such

vehicle is stopped for the purpose of receiving or discharging school children.

3. When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or from school, all markings thereon indicating 'SCHOOL BUS' shall be covered or concealed.

4. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

6052. BASIC RULE. No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.

6053. MAXIMUM SPEED LIMITS. Except when a special hazard exists that requires lower speed for compliance with paragraph 6052 above, the limits hereinafter specified shall be maximum lawful speeds, and no person shall drive a vehicle in excess of the maximum posted speed limits unless otherwise posted:

1. For all trucks (three and four wheeled) under five tons and all passenger vehicles (including buses and motorcycles with 251cc engine displacement and higher) - 60 kilometers an hour (37 MPH).

2. For trucks over five tons, all special vehicles (e.g., wreckers), and motor scooters and motorcycles under 251cc - 50 kilometers an hour (31 MPH).

3. For all vehicles in housing areas and in troop areas - 35 kilometers an hour (22 MPH).

4. For all vehicles in a posted school zone during normal school hours; when passing foot troops in formation in roadways; in parking areas - 15 kilometers an hour (10 MPH).

5. When moving in reverse - approximately 10 kilometers per hour (6 MPH).

6054. ESTABLISHMENT OF BASE SPEED ZONES

1. Upon completion of an engineering and/or traffic investigation, any maximum speed which is greater or less than what is reasonably safe under conditions found to exist at any intersection, or any part of a on base highway system, the Commanding General may determine, and declare is reasonable and safe speed limit thereat. The declarations would become effective when appropriate signs giving notice thereof are erected.
2. Such a maximum speed limit may be declared to be effective at all times, or at such times as indicated upon signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, and shall be effective when posted upon appropriate fixed or variable signs.

6055. MINIMUM SPEED REGULATIONS. No person shall drive a motor vehicle at such a slow speed as to impede the normal, and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with the law.

6056. SPECIAL SPEED LIMITATIONS. No person shall drive a vehicle over any bridge, or other elevated structure constituting a part of highway at a speed which is greater than the maximum speed that can be maintained with safety to such bridge or structure when such structure is signposted.

6057. CHARGING VIOLATIONS

1. In every charge of violations of any speed regulation, the Armed Forces Traffic Ticket shall specify the speed at which the defendant is alleged to have driven, and the maximum speed applicable within the district or at the location.
2. The provision stated herein declaring maximum speed limitations shall not be construed to relieve the plaintiff in any action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

6058. RACING ON HIGHWAYS

1. No person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition, contest, test, or exhibition except at a place specifically designated by official authority for that purpose.

2. Drag racing is defined as the operation of two or more vehicles starting from a point side by side and accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.

3. Racing is defined as the use of one or more vehicles in an attempt to outgain, outdistance, or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to test the physical stamina of drivers over long distance driving routes.

6059. RECKLESS DRIVING

1. Any person who drives any vehicle in a willful or wanton disregard for the safety of persons or property, is guilty of reckless driving.

2. Speeding of 35 KPH (21 MPH) over the posted speed limit will constitute reckless driving.

6060. DRIVING WHILE INTOXICATED/DRIVING UNDER THE INFLUENCE

1. It is unlawful and punishable under the UCMJ for any person who is under the influence of intoxicating liquor, drugs, or any combination thereof to drive, operate, or be in actual physical control of any vehicle.

a. If there was 0.04 percent or less by weight of alcohol in the person's blood, it shall be presumed that person was not under the influence of intoxicants. However, the weight of the chemical test evidence is presumptive, not conclusive. Other supportive evidence may overcome the presumptive weight of the chemical test.

b. If there was not less than 0.05 percent nor more than 0.09 percent by weight of alcohol in the person's blood, it shall be presumed that person was "Driving Under the Influence" (DUI) of intoxicants.

c. If there was not less than 0.10 per cent by weight of alcohol in the person's blood, it shall be presumed that person was "Driving While Intoxicated" (DWI).

d. The foregoing provisions shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicants.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred cubic centimeters of blood.
3. The fact that any person charged with violating this section is or has been legally entitled to use alcohol or a drug shall not constitute a legal defense against any charge of violating this section.
4. Chemical analysis of the person's blood, breath, or other bodily substance is to be considered valid under the provisions of this Chapter and shall have been performed per OPNAVINST 11200.5 and MCO 5110.1.
5. When a person submits to a blood test at the request of any law enforcement official or Japanese Police Official under the provisions of implied consent, only a physician, registered nurse, or other qualified person may withdraw blood for the purpose of determining the alcohol content therein. This limitation shall not apply to the taking of breath or urine specimens.
6. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of their own choosing, administer a chemical test or test in addition to any administered at the direction of any enforcement official. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken per this Chapter.
7. When a person submits to a chemical test or tests at the request of a law enforcement official, full information concerning the test or tests shall be made available to that person and their Commander.
8. If a person under apprehension refuses to submit to a chemical test under the provisions of this Chapter, evidence or refusal shall be admissible in any prosecution or proceeding arising out of acts alleged to have been committed while the person was driving, operating, or in actual physical control of a motor vehicle while under the influence of intoxicants.
9. An individual subject to the UCMJ who was driving a vehicle involved in an accident resulting in death, personal injury, or serious property damage, may be involuntarily subjected to seizure of bodily fluids (i.e., blood and/or urine) for the purpose of analysis for determination of blood alcohol content. Such involuntary seizure should be under authorization of the appropriate military commander or military magistrate; however, if the delay involved would result in loss of evidence, or there is clear indication that the individual may be intoxicated, the seizure of the sample need not be delayed pending such authorization. Applicable rules of evidence will be followed in obtaining such involuntary bodily fluid samples.

6061. JAPANESE STANDARDS

1. Japanese authorities determine the degree of intoxication by use of a balloon test which measures milligrams of alcohol per liter of expired breath. Under the provisions of the road traffic laws of Japan, when a balloon test reading of 0.25 mg per liter of expired breath is obtained, it shall be presumed for the purposes of prosecution in Japanese courts that the person was under the influence of intoxicating liquor.

2. For the purpose of traffic point assessment under this regulation, the following applies:

a. Japanese balloon test reading of 0.25 mg but less than 0.50 mg per liter is a six month suspension.

b. A Japanese balloon test reading of 0.50 mg per liter or higher is a one year revocation.

6062. HOMICIDE BY VEHICLE. Whoever shall unlawfully and unintentionally cause the death of another person while engaged in the violation of any order applying to the operation or use of a vehicle or to the regulation of traffic shall be guilty of homicide when such violation is the proximate cause of said death.

6063. FLEEING OR ATTEMPTING TO ELUDE A POLICE OFFICER. It is unlawful for any driver of a motor vehicle who willfully fails or refuses to bring their vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police vehicle, when given visual or audible signal to bring the vehicle to a stop. The signal given by the police officer may be by hand, voice, emergency light or siren. The officer giving such signal shall be in uniform, and their vehicle shall be appropriately marked showing it to be an official police vehicle.

6064. STOPPING, STANDING, OR PARKING OUTSIDE OF BUSINESS OR RESIDENCE DISTRICTS

1. Upon any highway outside of a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practical to stop, park or so leave such vehicle off such part of said highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

2. This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of



a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

6065. MILITARY POLICEMEN AUTHORIZED TO REMOVE VEHICLES

1. Whenever any military policeman finds a vehicle standing upon a highway in violation of any of the provisions of paragraph 6064 such policeman is hereby authorized to move such vehicle, or require the driver or other person in charge of such vehicle to move the vehicle from the main-traveled part of such highway.

2. Any military policeman is hereby authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway, or in any tunnel, in such position or under such circumstances as to obstruct the normal movement of traffic, or a report has been made that such vehicle has been stolen or taken without the consent of its owner, or the person or persons in charge of such vehicle are unable to provide for its custody or removal.

6066. STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

1. Stop, stand or park a vehicle:

a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.

b. On a sidewalk.

c. Within an intersection.

d. On a crosswalk.

e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.

f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.

g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.

h. At any place where official signs prohibit stopping.

2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- a. In front of a public or private driveway.
- b. Within 16-1/2 feet (5 meters) of a fire hydrant.
- c. Within 16-1/2 feet (5 meters) of a crosswalk at an intersection.
- d. Within 33 feet (10 meters) upon the approach to any flashing signal, stop sign, slow sign or traffic control signal located at the side of a roadway.
- e. Within 16-1/2 feet (5 meters) of the driveway entrance to any fire station and within 75 feet of the entrance on the side of a street opposite the entrance to any fire station (when sign is properly posted).
- f. Alongside any curb that has been painted yellow or with curb markings which state "no parking" painted in black.
- g. At any place where official signs prohibit stopping, standing, or parking.

3. Park a vehicle in a loading zone, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

4. Move a vehicle not lawfully under their control into any such prohibited area, or away from a curb such a distance as is unlawful.

#### 6067. ADDITIONAL PARKING REGULATIONS

1. Except as otherwise provided in this Chapter, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the left-hand wheels parallel to and within 12 inches of the left-hand curb or edge of the roadway.

2. Except when otherwise provided, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its left-hand wheels within 12 inches of the left-hand curb or edge of the roadway, or its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway.

3. The Commanding General, Marine Corps Base, Camp Smedley D. Butler with respect to highways under the Commanding General's jurisdiction, may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where

in the Commanding General's opinion, such stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.

4. No person shall park in an officially marked handicap parking space unless they are disabled and display appropriate stickers or placards.

5. No person shall park in a officially marked fire lane. All vehicles are subject for immediate impound.

6. No person shall park in any area other than designated parking spaces, except where approved for special events by the applicable Camp Commander.

6068. UNATTENDED MOTOR VEHICLE. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the brake thereon, and when standing upon any grade, turning the front wheels to the curb or side of the highway.

6069. LIMITATIONS ON BACKING

1. The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.

2. The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled access highway.

3. When backing their vehicle, the driver of a 3/4 metric ton, or larger, truck, will use a dismounted guide if any person is available in the vicinity for that purpose. The dismounted guide will be responsible to insure that prior to, and during the reverse movement of the vehicle there are no obstacles to interfere with the safe backing movement of the vehicle.

6070. DRIVING UPON SIDEWALK. No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway.

6071. OBSTRUCTION TO DRIVER'S VIEW OR DRIVING MECHANISM

1. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding

three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

2. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle.

6072. OPENING AND CLOSING VEHICLE DOORS. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

6073. DRIVING ON MOUNTAIN HIGHWAYS. The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the left-hand edge of the highway as reasonably possible and, upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway, shall give audible warning with the horn of such motor vehicle.

6074. COASTING PROHIBITED

1. The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears or transmission of such vehicle in neutral or disengaged.

2. The driver of a truck or bus when traveling upon a downgrade shall not coast with the clutch disengaged.

6075. FOLLOWING FIRE APPARATUS PROHIBITED. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

6076. CROSSING FIRE HOSE. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private road or driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

6077. GLASS, ETC., ON HIGHWAY

1. No person shall throw or deposit upon any highway any glass bottles, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal, or vehicle upon such highway.
2. Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.
3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

6078. LITTERING. No person, while parked, driving or riding in or upon a vehicle, or while walking, shall unlawfully dispose of any trash, litter, cigarette, or other debris on or along any parking lot, roadway, sidewalk, or other location.

6079. SAFEGUARDING OF CONSTRUCTION AREAS

1. Materials, equipment, vehicles, excavators, dirt, and other hazards left on the roadway, or shoulder of the road, must be properly guarded by construction signs, barricades, lights, and signalmen as appropriate.
2. Warning signs shall precede all road hazards by a minimum of 400 feet and be clearly lettered to state, in English and Japanese, the nature of the hazard and motorists' action necessary to insure safe passage. Subsequent signs placed between the advance warning sign and the hazard will be instructional in nature and provide information necessary to insure smooth and safe continued movement past the hazard.
3. During the hours of darkness, all warning signs will be properly illuminated and flare posts or other easily detectable warning devices will be placed on all hazards remaining on the road or shoulder. These will be placed a maximum distance of 100 feet apart between the road surface, and such hazards as excavations or construction which closely paralleled the roadway.
4. Flagmen will be used in all instances where opposing lanes of traffic meet on one side of the center of the roadway, or when the construction hazard has caused traffic to deviate from its normal flow to the extent that a "head-on" collision may occur if flagmen aren't posted.
5. Lights used in operations shall be shielded and placed so as to prevent glare into the eyes of approaching motorists.

6. Dirt, materials, and equipment will be kept off the road to the maximum possible extent, and maintained as nearly as possible in a straight line to eliminate unnecessary swerving of passing vehicles.

7. Suitable pads shall be laid on the roadway to protect the surface when heavy equipment must cross the road, and when such crossing would damage an unprotected road. Pads will be removed when not in actual use, and flagmen will be used to warn traffic. Dirt and debris tracked or spilled on the road by construction equipment and vehicles will be removed as soon as possible to prevent development of hazardous road conditions.

8. Engineer earthmoving equipment shall not operate on a military maintained road except when moving from one construction site to another and in such cases shall not move faster than ten miles per hour, be empty, and be escorted by a vehicle displaying warning signs and/or lights.

6080. TOWING OF VEHICLES. In all cases requiring that a vehicle be towed, the towed vehicle shall be attached to the lead vehicle by a rigid tow bar or wrecker hoisting assembly with a maximum distance of 15 feet between the towed vehicle and the wrecker.

6081. TRAFFIC LAWS APPLY TO MOTORCYCLISTS. Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle in this Manual except as to special regulations in this Chapter and except as to those provisions of this Manual which by their nature can have no application.

6082. RIDING ON MOTORCYCLES

1. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless that motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

2. A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

3. No person shall operate a motorcycle while carrying any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.

4. No operator shall carry any person, nor shall any person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

6083. OPERATING MOTORCYCLES ON ROADWAYS

1. All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane.

2. The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

3. No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

4. Motorcycles shall not be operated more than one abreast in a single lane, except as may be authorized by the installation law enforcement office in connection with official duties.

6084. FOOTRESTS AND HANDLEBARS

1. Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passenger.

2. No person shall operate any motorcycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator.

6085. EQUIPMENT FOR MOTORCYCLE RIDERS. Every person operating or riding on a motorcycle aboard Marine Corps property and all Marines operating a motorcycle off base shall wear the following personal equipment.

1. A protective helmet, made of approved materials meeting the standard of the Shell Memorial Foundation, the American National Standards Institute (ANSI) 290.1-1971 or Federal Motor Vehicle Safety Standard (FMVSS) #218, while operating or riding as a passenger on a motorcycle. It is strongly recommended that the helmet be of a reflective metal flake colors or incorporate a reflective design. Designs or ornaments on helmets will not be offensive in nature. Chin straps will be required on all helmets and will be fastened when operating a two-wheeled vehicle. A visor is not required, but if the helmet is so equipped, the visor must be flexible or the snap-on type.

2. No person shall operate or ride as a passenger on a motorcycle unless wearing goggles of plastic or hardened safety glass or a

full face shield attached to the helmet. Goggles or face shields must meet or exceed ANSI standard number Z87. Windshield or fairing is not considered to be proper eye protection. Eyeglasses and sunglasses are not considered to be suitable eye protection. Devices used at night will not be tinted.

3. Clothing must cover the upper torso and legs. "T" shirts and shorts are considered inadequate. Footwear will be boots of leather or leather like material that covers the ankles. "Tennis" shoes or other athletic type footwear are considered inadequate. If the operator or passenger is in a military uniform, the appropriate military shoes or boots will be worn.

4. An orange, lime green, blue, or yellow in color reflective vest or reflective jacket must be worn at all times by every operator or passenger on a motorcycle being operated aboard a Marine Corps installation; this pertains to all SOFA and non-SOFA Status Individuals. If the individual is in uniform, only a reflective vest will be worn (reflective jackets are not authorized while in uniform). Marines, Army, Navy, and Air Force personnel serving with the Marine Corps, will also wear an orange, lime green, blue, or yellow in color reflective vest or reflective jacket while operating or riding on a motorcycle while off installation. The vest or jacket must be of a professional design and construction and must have reflective material on the front and back. The vest or jacket must not be modified, covered or soiled to the extent that the reflective area is covered.

5. This section shall not apply to persons riding within an enclosed cab.

6086. PASSENGER RESTRICTIONS. The number of passengers permitted to ride with the operator in the front seat of a moving vehicle shall be consistent with safe operation of the vehicle; however, no person shall ride with the driver if the front seat is less than 35 inches in width; one person may ride with the operator when the front seat exceeds 35 inches in width; two persons may ride with the operator when the front seat exceeds 51 inches in width. The presence of more than two passengers in the front seat with the operator is not considered a violation when small children are involved who are not congesting the vehicle so as to interfere with the clear vision or free movement of the operator. No passenger will be carried in a vehicle which does not have a seat belt for that passenger.

6087. PASSENGERS MUST BE SEATED. Only seated passengers shall be permitted to ride in the cargo area of a truck, except on fire or similar vehicles equipped with standing stations and handrails, or as otherwise provided by pertinent military directives.



6088. DRIVER TO INSURE PASSENGERS SAFETY

1. Operators of trucks transporting personnel are responsible for insuring that the tailgate is closed and secured and restraining straps are fastened prior to setting the vehicle in motion.
2. No operator of a cargo vehicle shall permit a passenger to ride in the cargo compartment of the vehicle with unsecured cargo.

6089. PLACE FOR RIDING BY PASSENGERS

1. No passenger shall ride in any vehicle in a manner that may create an unusual danger either to themselves or others.
2. No person shall ride in the bed of a truck larger than a pick-up truck unless there are sideboards in place, and no person shall ride in the bed of a dump truck unless seated on the floor and the dump body is secured with positive locking devices so that it cannot be released.
3. No operator of a vehicle shall drive or move the vehicle in any manner as long as passengers riding therein are not complying with the provisions of this Chapter.

6090. UNATTENDED INFANTS OR SMALL CHILDREN. Infants or small children 10 years old or younger will not be left unattended in a vehicle at any time.

6091. PASSENGERS PROHIBITED IN U.S. GOVERNMENT VEHICLES. Non-U.S. Forces personnel will not be transported in a U.S. Government vehicle except in conjunction with official business with U.S. Government activities.

6092. MILITARY CONVOYS - DEFINITION. A military convoy is a group of two or more military motor vehicles, the movement of which is organized for the purpose of control and orderly movement over streets and highways with or without escort.

6093. ROAD MASTER ESCORT OF CONVOYS. Outside of military installations, where the safety of pedestrians or other traffic is concerned, a convoy of five or more tactical vehicles shall have a Road Master escort when deemed appropriate by the Motor Transport Officer.

6094. MILITARY CONVOY RESTRICTIONS - OFF BASE

1. Except in an emergency or in tactical missions, a convoy outside of military installations shall not exceed 20 vehicles, and

no vehicle shall move more rapidly than 40 kilometers an hour (25 MPH).

2. Except in an emergency or on tactical missions, convoys moving outside of military installations shall not use heavily travelled roads, or highways between 0700 and 0830 hours, or between 1630 and 1830 hours on Monday through Saturday.

3. Convoys or single vehicle movements beyond the limits of military controlled land will be coordinated with the Assistant Chief of Staff, Logistics, Marine Corps Base, Road Master Section, when it involves one of the following:

- a. Convoys consisting of five or more vehicles.
- b. Movement of oversized vehicles, (e.g., tank retrievers and lowboys moving heavy equipment, cranes), and vehicles transporting cargo, any portion which extends more than 12 inches from the left side of the vehicle.
- c. Movement of vehicles bearing oversized loads.
- d. Movement of double-towed vehicles.
- e. Movement of vehicles, vehicle combination, or vehicle and load combination in excess of sixty feet overall length.
- f. Movement of explosives.

6095. CONVOY CLEARANCE NUMBER. Convoys or vehicles described above will be assigned a convoy clearance number by the Road Master, III MEF, 1st MAW or Marine Corps Base dependent on the unit assigned.

1. The unit commander will be responsible for displaying the convoy number on a sign, not less than 12 inches by 12 inches, with eight inch black numbers on a white background on the front of the lead vehicle and on the rear of the trail vehicle of the convoy.

2. Convoys or vehicles failing to display these convoy clearance numbers may be stopped by military police, and movement prohibited until such time as the provisions of this paragraph have been complied with.

3. The same convoy clearance number may be employed for the initial return move provided the requesting unit commander knows the expected time of departure for return.

6096. FURTHER RESTRICTIONS ON CONVOYS

1. Convoys shall use the left lane, left outside lane on four lane highways, at all times when on a highway except when preparing for a right turn, or when otherwise directed by the police escort.

2. Convoys will obey all traffic regulations, signs, and signals applicable to single vehicles unless specific through clearance is authorized by the Road Master, Marine Corps Base and necessary guide and control personnel are employed.

6097. POLICE ESCORT. Military police escorts will be furnished only for reasons of protocol or security when it is necessary for a person or unit to proceed from one point to another with the least possible loss of time. Such escorts will abide by local civil traffic laws and provisions of this Manual when traveling outside of U.S. Military installations. Routine classified military convoys are included in this category.

6098. TRANSPORTING EXPLOSIVES. In areas outside of military reservations, explosives shall be hauled in strict compliance with requirements set forth in the Joint Service Regulations governing transportation and handling of munitions and explosives.

6099. CARELESS DRIVING. It is unlawful for any person to drive any vehicle in a careless and heedless manner not giving full time and attention to driving with due regard for the width, grade, curves, corner, traffic, weather, road conditions and all other attendant circumstances.

6100. PROFESSIONAL NEGLIGENCE. A person, who fails to use such care as is required in the operation of a motor vehicle and thereby kills or injures another, is punishable under Article 211, Japanese Penal Code for professional negligence. The same shall apply to a person who, by gross negligence, injures or causes the death of another.

6101. OPEN CONTAINERS OF ALCOHOLIC BEVERAGES. While driving on military installations or elsewhere in Okinawa, the operator/passengers of motor vehicles are prohibited from having open containers of alcoholic beverages in their possession.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 7

### EQUIPMENT OF VEHICLES

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MOTOR VEHICLE TRAFFIC SUPERVISION

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 7

### EQUIPMENT OF VEHICLES

#### 7000. SCOPE AND EFFECT OF REGULATIONS

1. It is unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on any highway, any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts, or is not at all times equipped with such lamps, and other equipment in proper condition, and adjustment, or which is equipped in any manner in violation of this Chapter, or for any person to do any act forbidden, or fail to perform any act required under this Chapter.
2. Two Wheeled Vehicle. No person shall operate a two wheeled vehicle upon any road on or off base unless such vehicle is equipped as set forth in this Chapter.
3. Illegal Vehicle Modifications/Alterations. U.S. Forces, Japan personnel are prohibited from physically modifying, or altering their vehicle which changes the original manufacturer's design (i.e., serial number, tires, rims, suspension, steering wheel, timing of signal flashers, etc.) after completing the Government of Japan (GOJ) vehicle inspection. The parts or sections of vehicles specified in this Chapter and as illustrated in Appendix E and F are modifications/alterations not permitted.

#### 7001. BRAKES

1. Vehicles shall be equipped with brakes adequate to control movement and stop and hold the vehicle. Except on two wheeled vehicles two separate means of applying the brakes are required, one of which can be mechanically set to prevent vehicle movement. If the two means of application are connected in any way, they should be constructed so that failure of one means will not leave the vehicle without brake control of at least two wheels. Brakes shall be adjusted so that wheels on opposite sides of the vehicle are braked equally. Application of the brakes must not interfere with the control of the vehicle or lock one wheel to the exclusion of the other.
2. Two wheeled vehicles will be equipped with at least one hand or foot operated brake. Motorcycles with both hand and foot operated brakes installed by the manufacturer will not be altered in any manner that eliminates one of the brakes.
3. Commercial trailers or semitrailers of a gross vehicle weight of 3,000 pounds or more will be equipped with brakes that can be applied by the driver from the cab of the vehicle towing the trailer.

Brakes should be constructed so as to become engaged automatically in the event of accidental breakaway of the trailer. Trailers will be equipped with a metal tow bar and tow safety chains.

4. Every vehicle shall be equipped with brakes capable of bringing it to a halt from a speed of 20 MPH on a dry, level, hard-surfaced road, within the following indicated distance for that type of vehicle:

a. Passenger vehicles, including motor driven cycles and scooters - 25 feet.

b. Single unit vehicles weighing less than 10,000 pounds - 30 feet.

c. Single unit two axle vehicles weighing 10,000 pounds or more - 40 feet.

d. All other vehicles or combinations weighing over 10,000 pounds - 50 feet.

5. The brake system will be free from worn, missing, or defective pins, cables, rods, clevis, or couplings, misaligned anchor pins, frozen, rusted, inoperative connections, missing spring clips, improper wheel bearing adjustment, or defective grease containers.

6. Operating levers and pedal shafts on motorcycles will be properly positioned and aligned.

#### 7002. DIRECTIONAL TURN INDICATOR

1. Every vehicle will be equipped with at least one set of directional turn indicators on each side of the vehicle visible at a distance of 100 feet from the front and rear of the vehicle during daylight.

2. Indicators will be operated by the vehicle operator to signal his intended turn.

3. The addition or alteration of turn or brake signals, either their color or timing of flashes, is prohibited.

#### 7003. EMERGENCY SIGNAL DEVICES

1. The Government of Japan requires that emergency signal devices be carried in all passenger cars.

2. The device must emit a self-generated red light visible from 200 meters at night.

7004. HORN

1. All vehicles will be equipped with a horn in good working condition capable of emitting a sound audible under normal highway conditions for a distance of not less than 200 feet. Vehicles will be considered unsafe for traffic point assessment purposes if knowingly operated with a horn not capable of giving warning at this distance.
2. An operator of a vehicle will not sound their horn except when required by a posted sign, as required by enforcement personnel or when necessary to avert potential danger.
3. The addition or alteration of the sound of the horn to music, siren, or patrol like horns is prohibited.

7005. LIGHTS. Operators will use headlights, taillights, and rear license plate lights during the hours of darkness (sunset to sunrise) and through insufficiently illuminated tunnels, covered by dense fog or any other dark area where visibility is less than 50 meters (165 feet).

1. Front Lights

a. Vehicles other than two wheeled vehicles will be considered unsafe for traffic point assessment purposes and will not be operated if not equipped with at least one operational white beam headlight adjustable to high and low intensity on each side of the front of the vehicle.

b. Headlights will be aimed so that the high intensity portion of the beams does not project higher than the level of the center of the headlights at their focal point of eight feet.

c. Headlights will display a white light visible from a distance of not less than 1,000 feet from the front of the vehicle. High intensity beams will be so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 450 feet ahead; low intensity beams, a distance of 150 feet.

d. Headlights will be dimmed whenever approaching an oncoming vehicle within 500 feet, another vehicle from the rear within 30 feet or a police or guard checkpoint.

e. No other colored light, reflector or tape will be displayed on the front of any vehicle except as authorized by the Government of Japan.

2. Rear Lights

a. All vehicles of three or more wheels will be equipped with two red stop lights and two red/amber taillights on the rear of the



vehicle, except a single taillight mounted on the left rear will be acceptable when such is the original manufacturer's design.

b. Motorcycles will display a red or amber brake light visible from a distance of not less than 100 feet to the rear in normal sunlight which shall be activated upon application of the brake. The brake lights may be combined with the taillights.

c. Taillights will be of sufficient intensity to be visible from a distance of not less than 1,000 feet to the rear of the vehicle.

d. All vehicles will be equipped with a white nonglaring light to illuminate the rear mounted registration plate and make it legible at a distance of at least 66 feet during darkness. The light will be activated by the same switch controlling the headlights.

e. Trailers will be equipped with tail and brake lights and twin turn signal indicators.

f. Lamps of all types will be mounted securely to prevent excessive vibrations and will not have defective wiring, improper ground or defective switches. The power source must maintain lamps at required brightness for all conditions of operation.

#### 7006. REFLECTORS

1. Rear reflectors will be red in color and not more than 1.5 meters from the ground. The extreme outer edge of the reflecting surface of the rear reflectors shall be within 400 millimeters of the extreme outer side of the vehicle.

2. Motor vehicles manufactured on or before 30 November 1973, shall have reflectors on the rear, which cover a circular area 25 millimeters in diameter.

3. Motor vehicles manufactured after 1 December 1973, shall have reflectors on the rear, which cover a circular area 30 millimeters in diameter.

4. Motor vehicles with a gross minimum weight of eight tons, minimum loaded weight of five tons, and motor vehicles with a minimum personnel capacity of 30 shall have reflectors on the rear, which cover a circular area 60 millimeters in diameter.

#### 7007. BACKUP LIGHTS

1. Every motor vehicle shall be equipped with at least one backup light (except motorcycles).

2. Backup lights shall be either white or light yellow in color.

3. Vehicles manufactured prior to April 1969, are not required to have backup lights. However, if such lights have been installed they must be in working order.

#### 7008. MUFFLER

1. Every vehicle will be equipped with a muffler or mufflers in good working order, capable of preventing excessive noise and smoke. Muffler cutouts and similar devices shall not be used on motor vehicles operated on roads and highways anywhere on Okinawa.

2. Vehicles will be so maintained that the amount of carbon monoxide gas that is emitted in the exhaust of a gasoline or liquid petroleum gas engine will not exceed the legal limitation as prescribed by Japanese law. For ordinary motor vehicles, the percentage of carbon monoxide gas exhausted into the air when the engine is in idle operation shall not at any time exceed 5.5 percent. However, this percentage shall be under 4.5 percent at the time of the initial and annual vehicle inspections, which also requires the vehicle to satisfactorily complete the Japanese four-mode system inspection (under 2.5 percent for motor vehicles using gasoline and 1.5 percent for vehicles using liquid petroleum gas).

3. Exhaust systems will meet the following requirements:

a. No exhaust pipe shall discharge the exhaust emission left, right or downward.

b. The exhaust pipe must extend to the rear, and at no more than 30 degree angle from a perpendicular line. For this purpose, the perpendicular line shall be a line drawn across the rear fender.

4. Motor vehicles manufactured before 1971, having the exhaust pipe protruding on the left are exempted from the above. Cars shipped to Okinawa for 19 months to three years and returning back to the U.S. are required to comply with the contents of paragraph 8008.1. Flex pipe will be acceptable in meeting this requirement if both the fore and aft ends are of solid metal. Further, tail pipe extensions will be authorized only if they are securely clamped or welded in place.

#### 7009. SEATBELTS

1. All persons operating or riding as a passenger in either Government owned, Government leased, privately owned, or privately rented motor vehicles (except motorcycles and tactical Government motor vehicles) manufactured in 1964 and thereafter, regardless of place of manufacture, shall wear safety belts and safety harnesses. Individuals shall not operate or ride in seats from which occupant restraints have been removed or rendered inoperative.

2. All children, either 40 pounds or less in weight or four years or less in age, will be placed in a federally approved child restraint seat and it will be properly affixed to the seat where it is located.

7010. SPEEDOMETER. Every vehicle will be equipped with a speedometer in operating condition to indicate accurately the speed of the vehicle.

7011. MIRRORS. Every motor vehicle shall be equipped with one interior (except motorcycle) and two exterior mirrors by means of which the driver in the drivers seat can clearly recognize the traffic conditions of other vehicles, backwards up to 200 feet or 50 meters. Mirrors may extend 25 centimeters or 9-3/4 inches beyond the widest point of the body of the vehicle.

7012. WINDSHIELD AND WINDOWS

1. Vehicle windshields and windows shall be of "Safety Glass" free of defects, signs, posters, stickers, or other nontransparent material which materially obstructs, obscures, or impairs the drivers clear view of the roadway or any intersecting roadway. Stickers required by this Command and the Japanese Government are authorized. Dark tinting material will not be applied to the windshield or either of the front side windows.

2. Vehicles (except two wheeled vehicles) will be equipped with two windshield wipers in good working condition, capable of keeping the windshield clear at all times. A single wiper will be acceptable only when such is the original manufacturer's design. Windshield washers installed as original equipment or added on later, must operate as intended.

7013. VEHICLE STRUCTURE

1. Every vehicle shall have all the structural components such as bumpers, doors, hood, roof, fenders, trunk lids, and front grills, if they were part of the original manufacturer's design.

2. Privately owned motor vehicles will not be painted or marked in any way to resemble publicly owned motor vehicles. No military or similar markings to include commercial slogans, camouflage schemes, polka dots, stripes, graffiti and/or drawings will be placed on privately owned motor vehicles.

3. Where the structure of a vehicle has worn or rusted and is so defective as to be a clear safety hazard, this deterioration may be cause for withholding vehicle inspection clearance.

4. Vehicles will not have dents, holes, torn or protruding pieces of metal regardless of shape or size, that are obvious safety hazards.
5. Doors, hoods, and trunks will be equipped with proper handles or latches and will be in operating condition.
6. Convertible tops must not be torn or present an unsightly appearance due to slipshod patching (masking tape will not be accepted). Rear windows will present a neat appearance and allow for clear visibility.
7. Interior floors will be capable of supporting an average adult and be free of holes and cracks.
8. For two-wheeled vehicles, the engine mounting frame brackets will not be cracked or broken. Fenders and mud guards will not be broken, missing or of inadequate design or modification. Foot-rests will be securely mounted and properly located. The seat will be properly and securely attached and its springs will not be broken or otherwise defective. The seat will also be so configured as to require the operator to operate the vehicle in a normal, upright sitting position. The clutch will be properly aligned and not binding; the cable or linkage will not be worn, twisted, corroded, broken or missing. The drive chain will be undamaged, properly adjusted and lubricated, and equipped with a properly installed chain guard. The center or side stand will be in proper working order. The rear view mirrors will be free from cracks and discoloration and shall be mounted to provide the operator with a clear, undistorted and unobstructed view of at least 200 feet to the rear of the vehicle on both sides.

#### 7014. STEERING MECHANISM

1. A steering mechanism is considered faulty if more than one inch of free travel occurs in the steering wheel hub before the vehicle wheels turn.
2. Two-wheeled vehicles will be equipped with stock front forks, and the frame and fork will not be bent or damaged. Extended forks are not considered to be stock equipment.
3. Wheels will not be out of alignment.
4. Components will not be broken, loose, missing or show excessive wear.
5. Steering head bearing will not be broken, loose, or defective.
6. Handlebars will not be loose, bent, broken, or damaged, and no portion of the bars may extend more than 15 inches above the seat depressed by the weight of the operator.

7. Alteration of the vehicle's original steering wheel is prohibited.

7015. TIRES, WHEELS, AND RIMS

1. The tires, wheels, and rims of a vehicle will be inspected by the Joint Services Vehicle Registration personnel, under the supervision of a Government of Japan (GOJ) inspector, to determine the proper designated size.
2. Tires without cornering tread are prohibited. Tires must have a minimum tread depth of 1.6 millimeters for passenger cars and 2.4 millimeters for vans (44 series).
3. Casing, beads and tread shall be free of breaks, bulges, cracks or unsafe conditions.
4. Vehicles classified under 44 series license plates are not authorized to operate with radial tires.
5. Bent, loose, cracked or damaged wheels, defective rims or wheel flanges, or missing, broken, bent, loose or damaged spokes are not allowed.
6. Tires may not be mixed either by ply rating or using both radial and non-radial tires together.
7. The wheels will be free from missing rivets, studs, or nuts, and broken or out-of-adjustment bearings.

7016. FUEL SYSTEM

1. The fuel tank and lining will be securely installed, and the fuel line will be free from leaks at any point in the fuel system. The fuel tank will be vented.
2. The throttle will be aligned and not binding; linkage (including cables) will not be worn, bent, broken, corroded, or missing.
3. On motorcycles with quick-release throttles, the throttle will return to "off" or "idle" position when released.

7017. SUSPENSION. The alteration, cutting, or removing of springs or shocks which results in a raised or lowered car body is prohibited.

7018. AIR SPOILERS. The addition or use of front or rear air spoilers is prohibited unless otherwise approved or manufactured.

7019. ROLL BAR. The addition of a roll bar is prohibited unless otherwise approved by GOJ inspection authorities.

7020. CITIZENS BAND RADIO AND EQUIPMENT. U.S. Forces Japan personnel are prohibited from using and/or possessing citizens band radio equipment or any form of two-way communication equipment unless specifically licensed and authorized by the Japanese Government and/or military authorities. The unlawful use of possession of this equipment will be subject to immediate confiscation by military police.

7021. BUMPER STICKERS, DECALS OR OTHER VEHICLE MARKINGS. Any bumper sticker, decal, or other vehicle marking with discriminatory, obscene, political, or sexually suggestive designs, insignia, or slogans is considered to be prejudicial to good order and discipline and is prohibited. Also prohibited are bumper stickers, decals or other vehicle markings that may be interpreted as derogatory to any ethnic, racial, or religious group; any military service, the United States, other nations, or their flags, logos, or symbols; derogatory or supportive of political causes or groups; or oriented toward the use of illegal drugs and/or substances.

7022. RADAR DETECTION DEVICES. U.S. Forces Japan personnel are prohibited from possessing/using radar detection devices to indicate the presence of speed recording instruments or to transmit erroneous speeds while driving on military installations.

7023. NOISE ORIGINATING FROM WITHIN VEHICLES. The driver will ensure that noise (whether from a car stereo or other source) does not exceed the following limits:

1. Noise shall not be heard above engine noise from any point outside the vehicle when all windows are closed.
2. Noise shall not be heard above engine noise from a distance greater than 10 meters from the vehicle when one or more windows are open.
3. The noise from within the vehicle shall not be such as to interfere with the vehicle operator's ability to hear emergency vehicles approaching using sirens.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX A

### SCHEDULE OF ADMINISTRATIVE ACTION/POINT ASSESSMENT FOR TRAFFIC LAW VIOLATIONS

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
<u>DRIVER LICENSE VIOLATION</u>								
1005 & 2011.1		Driving without operator's permit in possession	*W	S15days	S40days	S60days	S90days	0
2000		Driving without a valid operator's permit	S6mo	R1yr	-	-	-	0
2004 thru, 2007		Student/limited driver's license violation	S90days	R1yr	-	-	-	**3
2012		Unlawful and/or fraudulent use of an official driver's license	S6mo	R1yr	-	-	-	**3
2014		Allowing unlicensed person to operate vehicle	S30days	S60days	S90days	S6mo	R1yr	0
2015 *M		Allowing a person to operate vehicle while under the influence of alcohol	S6mo	R1yr	-	-	-	0
3002-- *M		Operating vehicle while under suspension or revocation of driving privileges	R2yrs	-	-	-	-	0

NOTE: \*M -Indicates mandatory revocation.

\*W -Indicates "Warning."

\*\* -Indicates 1 additional point is added when violation results in traffic accident.

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
			REGISTRATION VIOLATION					
	1000, 1003, 1004, 1015, 1017, 1022, & 3000.2	Failure to abide by Base and/or Japanese vehicle registration requirements	S30days and/or until compliance	S6mo	R1yr	-	-	0
	1004	Invalid Japanese registration (Seal missing from rear license plate)	S until compliance	-	-	-	-	0
	1004	Fraudulent use and/or stolen USFJ Form 15	R1yr	-	-	-	-	0
	1006 & 3000.3 3002	No vehicle registration in possession	*W	S15days	S30days	S60days	S90days	0
ACCIDENT REPORTING VIOLATION								
	5008 5010	Failure to report an accident to Military Police and/or Japanese Police	S90days	S6mo	R1yr	-	-	0
	5008.1 thru 5008.4	Fleeing the scene of a traffic accident (Hit and Run, no injury)	S6mo	R1yr	-	-	-	6
	3002 5008.1 thru 5008.4	Fleeing the scene of a traffic accident involving death, or personal injury (Hit & Run)	R1yr	-	-	-	-	0

\*M



# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
			RULES OF THE ROAD LANE USAGE VIOLATION					
3002 6000		other violations not separately listed	S15days	S30days	S90days	S6mo	R1Yr	**3 (discretionary)
6005		Failure to obey traffic signals	S15days	S30days	S90days	S6mo	R1Yr	**4
6010.1		Driving right of center	S15days	S30days	S90days	S6mo	R1Yr	**4
6011		Failure to yield 1/2 of roadway on narrow road	S15days	S30days	S90days	S6mo	R1Yr	**3
6012 thru 6014		Improper/illegal overtaking	S15days	S30days	S90days	S6mo	R1Yr	**3
6015		Improper passing	S15days	S60days	S90days	S6mo	R1Yr	**4
6016.2		Driving the wrong way on a posted one-way street	S15days	S30days	S90days	S6mo	R1Yr	**4
6024.2		Disobeyed stop sign	S15days	S30days	S90days	S6mo	R1Yr	**4
6024.3		Disobeyed yield/right of way sign	S15days	S30days	S90days	S6mo	R1Yr	**4
6053		Speeding in excess of maximum limit;						
		1 to 17 KPH over speed limit	*W	15days	S30days	S90days	S6mo	**3
		18 to 24 KPH over speed limit	S15days	S30days	S90days	S6mo	R1Yr	**4
		25 to 32 KPH over speed limit	S30days	S90days	S6mo	R1Yr	-	**5
		Over 32 KPH of posted speed limit	S90days	S6mo	R1Yr	-	-	**6

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
6017.1		Unsafe lane change	S15days	S30days	S60days	S6mo	R1Yr	**3
6018		Following too closely	S30days	S60days	S90days	S6mo	R1Yr	**4
6043		Violated safety zone	*W	S15days	S30days	S90days	S6mo	**3
6044		Improper turning movement	S15days	S30days	S90days	S6mo	R1Yr	**3
6045.1		Unsafe "U" turn	S15days	S30days	S90days	S6mo	R1Yr	**4
6047.1		Improper and/or unsafe lane change	*W	S15days	S30days	S60days	S6mo	**3
6047.2		Failure to signal turn	*W	S15days	S30days	S60days	S90days	**3
6069		Unsafe backing	*W	S15days	S30days	S60days	S90day	**3
6069.3		Failure to use available ground guide while backing (GOV 3/4 ton truck & above)	MOR-Refer to Commanding Officer for Judicial/Non-Judicial punishment.					
6070		Driving upon a sidewalk	*W	S15days	S30days	S90days	S6mo	**3
6074		Unlawful coasting	*W	S30days	S60days	S90days	S6mo	**3
6080		Improper towing of a vehicle	S15days	S30days	S60days	S90days	S6mo	**3
<u>RULES OF ROAD RIGHT OF WAY VIOLATION</u>								
6022		Failure to yield right-of-way	S15days	S30days	S60days	S6mo	R1Yr	**4
6023		Unsafe right turn, failure to yield right-of-way to vehicles approaching from opposite direction	S15days	S30days	S60days	S6mo	R1Yr	**4

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
6025		Failure to yield right-of-way to traffic on road when entering or crossing from an alley, private road or driveway	S15days	S30days	S60days	S6mo	R1yr	**4
6026.1		Failure to yield right-of-way to an emergency vehicle	S15days	S30days	S60days	S6mo	R1yr	**4
6028.1		Failure to yield right-of-way to pedestrian within a cross-walk	S15days	S30days	S60days	S6mo	R1yr	**4
6032		Failure to yield right-of-way to pedestrian on sidewalks	S15days	S30days	S6mo	R1yr	-	**4
6039		Failure to exercise due care to avoid colliding with a pedestrian	S30days	S90days	S6mo	R1yr	-	**4
6042		Failure to stop for loading or unloading school bus	S60days	S90days	S6mo	R1yr	-	**4
6051.1								
<u>RULES OF THE ROAD HAZARDOUS MOVING VIOLATION</u>								
6052		Speed too fast for conditions	S30days	S60days	S6mo	R1yr	-	**2
6055		Speed too slow for conditions	*W	S15days	S30days	S60days	S90days	**2
6058.1		Racing on highways	S6mo	R1yr	-	-	-	**6
6059		Reckless driving	S6mo	R1yr	-	-	-	**6
6062	*M	Homicide by vehicle	R1yr	-	-	-	-	0
6063		Fleeing or attempting to elude a police officer	S6mo	R1yr	-	-	-	**6
6099		Careless driving	S30days	S60days	S6mo	R1yr	-	**3

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
6100		Conviction of violation of Art 211, Japanese penal code (professional negligence)	S6mo	R1yr	-	-	-	0
6101		Open containers in vehicle	S6mo	R1yr	-	-	-	**6
<u>RULES OF THE ROAD</u>								
<u>DRIVING WHILE INTOXICATED (DWI)</u>								
3001 & 5001.3 *M		Refusal to submit to a chemical test (implied consent)	R1yr	-	-	-	-	0
3002.3b(3) *M		Operating a vehicle while under the influence of drugs/alcohol	S6mo	R1yr	-	-	-	**6
6060.1b *M		DUI (.05-.0999% BAC)	S6mo	R1yr	-	-	-	**6
6060.1c *M		DWI BAC .10% or more or Under the Influence of illegal drugs	R1yr	-	-	-	-	0
<u>RULES OF THE ROAD PARKING VIOLATIONS</u>								
6046		Unsafe starting of a stopped, standing, or parked vehicle	S15days	S30days	S60days	S90days	S6mo	**3
6064 6065.1 6066 6068		Illegal parking, stopping, or standing outside of a business or residential district, or where prohibited by law	*W	3 pt	5 pt	S30days	S90days	0
6067.4		Parking in Handicap space/ Fire lane	3 pt	S15days	S90days	S6mo	R1yr	3

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
6068		Failure to properly secure an unattended motor vehicle	*W	S30days	S60days	S90days	S6mo	**3
6071		Overloaded vehicle	*W	S30days	S60days	S90days	S6mo	**3
<u>RULES OF THE ROAD PEDESTRIAN VIOLATION</u>								
6027		Disobeyed traffic control device or signal	Minor offense report (MOR) -Referred to Commanding Officer					
6028		Failed to yield right-of-way to traffic at a crosswalk	MOR -Referred to Commanding Officer					
6029.1		Failed to yield right-of-way to vehicular traffic (not at a crosswalk)	MOR -Referred to Commanding Officer					
6029.2		Improper crossing of a roadway by pedestrian	MOR -Referred to Commanding Officer					
6029.3		"J" Walking	MOR -Referred to Commanding Officer					
6030.1		Failure to walk on sidewalk if provided	MOR -Referred to Commanding Officer					
6031		Hitchhiking	MOR -Referred to Commanding Officer					
6041		Prohibited use of headphones or earphones while jogging, walking or bicycling	MOR -Referred to Commanding Officer					
<u>VEHICLE DEFECTS</u>								
7000.1		Knowingly operating an unsafe vehicle	S30days	S60days	S90days	S6mo	R1yr	**2
7000.3		Illegal vehicle modifications	*W	S60days	S6mo	R1yr	R2yrs	

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
			*W	S15days	S30days	S60days	S90days	
7001 thru 7020		Vehicle Defects: (Specified)	*W	S15days	S30days	S60days	S90days	**2
<u>MOTORCYCLE VIOLATIONS</u>								
6039		Unsafe clinging to another vehicle while in motion	S6mo	R1yr	-	-	-	0
6081		Improper and/or unsafe riding of a motorcycle	S30days	S90days	S6mo	R1yr	-	**3
6083.2		Improper lane usage while passing	S30days	S60days	S90days	S6mo	R1yr	**4
6083.3		Improper lane usage (driving between rows or lines of traffic)	S30days	S60days	S90days	S6mo	R1yr	**3
6083.4		Improper lane usage. More than one motorcycle riding abreast in the same traffic lane	S30days	S60days	S90days	S120days	S6mo	**3
6084.2		Improper handlebar adjustment	S15days	S30days	S60days	S6mo	R1yr	2
6085		Improper safety equipment and/or non-use of safety equipment	S30days	S6mo	R1yr	-	-	3
7000.2		Knowingly operating an unsafe motorcycle	S30days	S60days	S90days	S6mo	R1yr	**2
7012.1		Driving a vehicle with obscured vision	*W	S15days	S30days	S60days	S90days	**2

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
			1st	2nd	3rd	4th	5th	
<u>MISCELLANEOUS VIOLATIONS</u>								
- *M		A black-marketeer where a motor vehicle was used to perpetrate act	R1yr	-	-	-	-	0
	3002.3b(4)	Failure to attend and complete remedial driver training	S until compliance	S6mo	R1yr	-	-	0
	7005.1d	Failure to dim headlights when approaching within 500 feet of an on coming vehicle	*W	S30days	S60days	S90days	S6mo	**3
	7004.2	Improper use of sound	*W	S15days	S30days	S60days	S6mo	3
	7009.1	Failure of operator and/or passengers to use available restraint devices (seat belts) while moving	S30days	S90days	S6mo	S6mo	R1yr	2
	7009.2	Failure to properly restrain children while moving	S30days	S90days	S6mo	S6mo	R1yr	2
	3002.3b	Accumulation of points	S6mo	-	-	-	-	-
	6034	Illegal operation	Minor offense report (MOR) -Referred to Commanding Officer					
	6037 thru	of bicycle or						
	6039	skateboard						
	6041	Prohibited use of headphones or earphones while operating a motor vehicle	S15days	S30days	S6mo	R1yr	-	**3
	6078	Littering	S30days	S90days	S6mo	-	-	3

# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX B

### INTERNATIONAL ROAD SIGNS

1. The international road signs shown in this Appendix were agreed upon at the United Nations Conference of Road and Motor Transport in 1949 and are currently in use on Okinawa.

2. Only those signs agreed upon shall be utilized for the purposes of regulations, controlling, warning, and guiding traffic on Okinawa. No other signs shall be regulatory in nature.



駐車余地6m

No parking with-in  
6M of the sign in  
both directions



Parking limited to  
60 minutes only

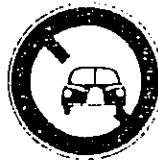


前方優先道路

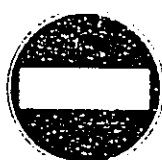
Main road has  
right of way



Road Closed for Large  
Sized Trucks and  
Special Duty Vehicles



Road Closed for  
Motor Vehicles  
except Motorcycles



Motor Vehicles  
Prohibited to Enter



Road Closed for  
Vehicles



Road Closed



Road Closed for  
Motor Vehicles



Road Closed for  
Bicycles



Road Closed for  
Light Vehicles  
except Bicycles



Road Closed for  
Motorcycles &  
Motorbikes



Road Closed for  
Large Sized Passenger  
Vehicles



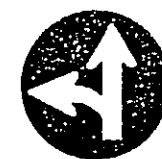
Right & Left  
Turns Only



Through Traffic  
Only



Left Turn Only



Left or Through  
Traffic Only



No Double Riding  
On Two-Wheeled  
Motor Vehicles



No Parking or  
Stopping



No Passing



No "U" Turn



No Right Turn



Proceed on  
the Left



# MOTOR VEHICLE TRAFFIC SUPERVISION



Maximum Width  
(2.2 meters)



Height Limit  
(3.3 meters)



Weight Limit  
(5.5 tons)



Road Closed for  
Vehicles Carrying  
Explosives



No Parking



Traffic Lane  
Left—Trolley Buses  
Center—Ordinary Vehicles  
Right—Large Sized Vehicles



One Way



Motor Vehicles  
Only



Minimum Speed Limit  
30 KPH—19 MPH



Maximum Speed Limit  
50 KPH—31 MPH



No Pedestrian  
Crossing



Road Closed for  
Pedestrians



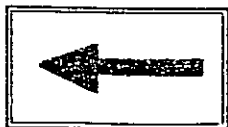
Stop



Proceed Slowly



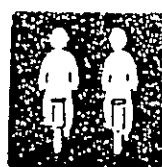
Sound Horn



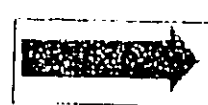
Left Turn



May Drive on  
Tram Way



Double File  
Single Row  
Allowed



Beginning of  
Restricted Zone



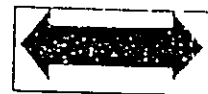
Exclusive road for  
pedestrian



May Stop



Parking Area  
or  
May Park



In Restricted  
Zone



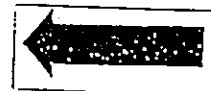
Exclusive road for  
bicyclist & pedestrian



Designated  
Center Line



Primary  
Road



End of Restricted  
Zone (a)



Exclusive road  
for bicyclist



Cross Walk (a)



Cross Walk (b)



End of Restricted  
Zone (b)

# MOTOR VEHICLE TRAFFIC SUPERVISION



Safety Zone



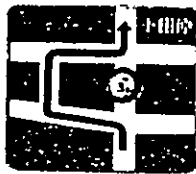
Pull Over Area



Emergency Telephone Available



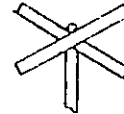
Bus priority lane



Detour



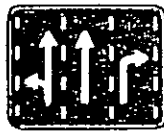
Detour



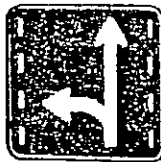
Railroad Crossing



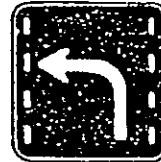
Bus exclusive lane



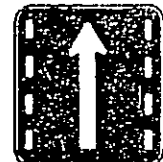
Direction designated lane



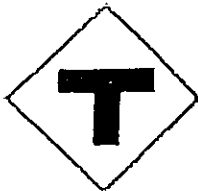
Direction designated lane



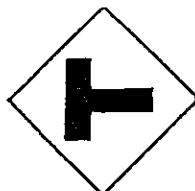
Direction designated lane



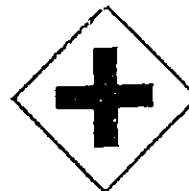
Direction designated lane



T Intersection



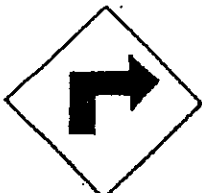
Side Road Ahead



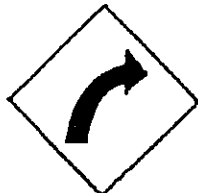
Cross Intersection



Possible falling stones



Right Turn



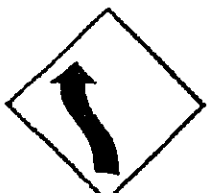
Sharp Right Curve



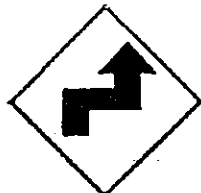
Forked Road



Caution, side wind



Winding Road



Right Turn followed by a Left Turn

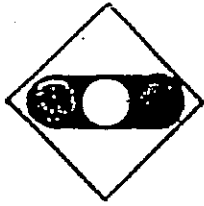


Gradual Right Curve



Under construction

# MOTOR VEHICLE TRAFFIC SUPERVISION



Traffic Signal Ahead



School Zone



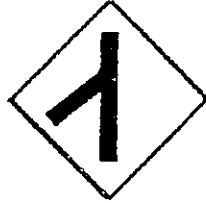
Railroad Crossing



Other hazard



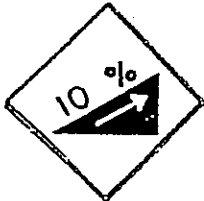
Number of Lanes Reduced



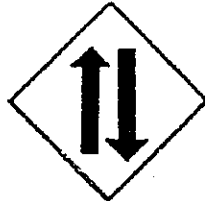
Merging Traffic



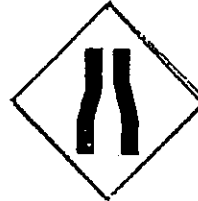
Slippery



Upgrade 10%



Two-Way Traffic



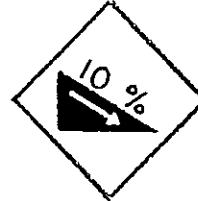
Width of Road Reduced



Rotary ahead



Bumpy road ahead



Downgrade 10%

# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX C

### VEHICLE SAFETY INSPECTION STANDARDS

<u>ITEM</u>	<u>REJECTION TOLERANCE</u>	<u>REASON</u>
Foot Brakes	Less than 1/3 pedal reserve or unequal braking force exceeding 500 pounds difference between left and right wheel front and rear.	Car pulls when brakes are applied. May cause car to veer into oncoming traffic.
Parking Brake	Inoperative.	Will not hold on hills, loss of back-up brake system.
Steering and Suspension	Ball joints, tie rod ends, idler arm 1/2" free play at tire, steering gear, 1-1/2" steering wheel free play in straight ahead position.	Can cause loss of steering, hard steering, unpredictable wandering particularly in wind.
Wheel Alignment	Alignment machine indicates more than 10 ft. out or 10 ft. in, per mile scuff toe-in.	Reduces tire life, affects steering control, can cause car to wander on highway.
Headlights	Incorrect aim or below minimum candlepower specifications.	Blind oncoming drivers, restricts vision of pedestrians, signs, and curves.
Directional signals (front, rear, stop, rear driving)	Unlighted bulb, broken glass, inoperative.	Missing or miscolored light confuses other drivers, inoperative turn signals fail to warn drivers and pedestrians of changes in direction.
Exhaust System	Blown out muffler (gaping hole) or broken tail or exhaust pipe.	Carbon monoxide can be forced into passenger compartments as car driven with windows closed; excessive noise.
Windshield and Glass	Cracked within driver vision field.	Impairs vision of road ahead.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX D

### STATEMENT OF RESPONSIBILITY

1. I certify that the information provided by me regarding source of ownership and liens is correct.
2. I certify that I have obtained full insurance coverage as required. I also certify that I will not allow any person, except my dependents, to use this vehicle for a period exceeding 24 hours unless that person has my written permission and insurance coverage for my vehicle.
3. I do hereby expressly agree and understand that as long as a vehicle is registered in my name I am responsible for the physical condition of the vehicle, which includes but is not limited to required inspections, replacement of standard parts with nonstandard parts, and nonfactory modifications.
4. I do hereby expressly agree and understand that in the event I depart Japan pursuant to PCS/DEROS orders, retirement, separation, or otherwise permanently leave without deregistering my vehicle(s) or lawfully providing for deregistration by special 90-day Power of Attorney as required by MARCORBASESJAPANO P11240.1B, I transfer all rights, title, and interests in the vehicle, and any personal property located therein, to the United States Government for disposal as deemed appropriate in the sole discretion of the United States, and I release and discharge the United States Government and its agents from any and all claims and demands whatsoever by me arising out of the impoundment and disposition of the vehicle(s) registered to me. I understand that if any liens on the vehicle exist at the time of my permanent departure that I am not relieved of financial responsibility to the lienholder for that claim. I further understand that if I depart as described above, I will not be entitled to be notified under Title 10, United States Code, Section 2575 that the vehicle(s) registered to me has (have) been impounded for ultimate disposal by the United States.
5. I understand that my vehicle must be registered in my name for at least 120 days before reregistration, unless I PCS/DEROS. I also understand that before I register more than one passenger vehicle and motorcycle per licensed member of my family, I must have approval by the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler. Additionally, I understand that if my vehicle is not reregistered within 120 days of the major Japanese Inspection expiration date the vehicle's registration will be administratively canceled and the vehicle cannot be reregistered in Japan.
6. I am aware that MCO 5110.1C/AFR 125-14/AR 190-5/OPNAVINST 11200.5C and the installation traffic code provide for the removal and temporary impoundment of privately owned motor vehicles that are either parked illegally for an unreasonable period, interfere

## MOTOR VEHICLE TRAFFIC SUPERVISION

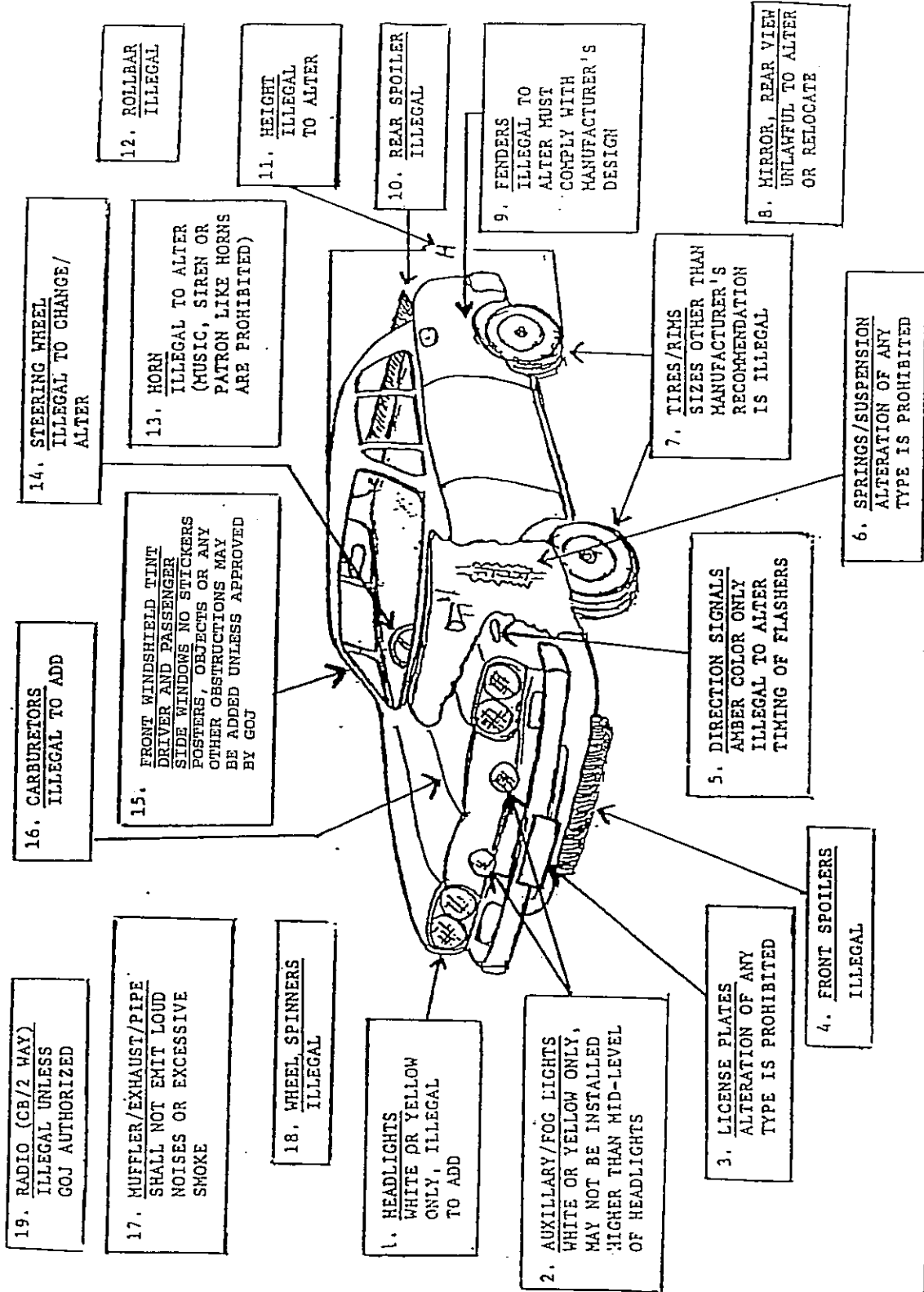
with military operations, creat a safety hazard, disabled by incident, left unattended in a restricted or controlled area, or abandoned. I agree to reimburse the United States for the cost of towing and storage should my motor vehicle(s), because of such circumstances, be removed and impounded.

SIGNATURE OF APPLICANT AND DATE

# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX E

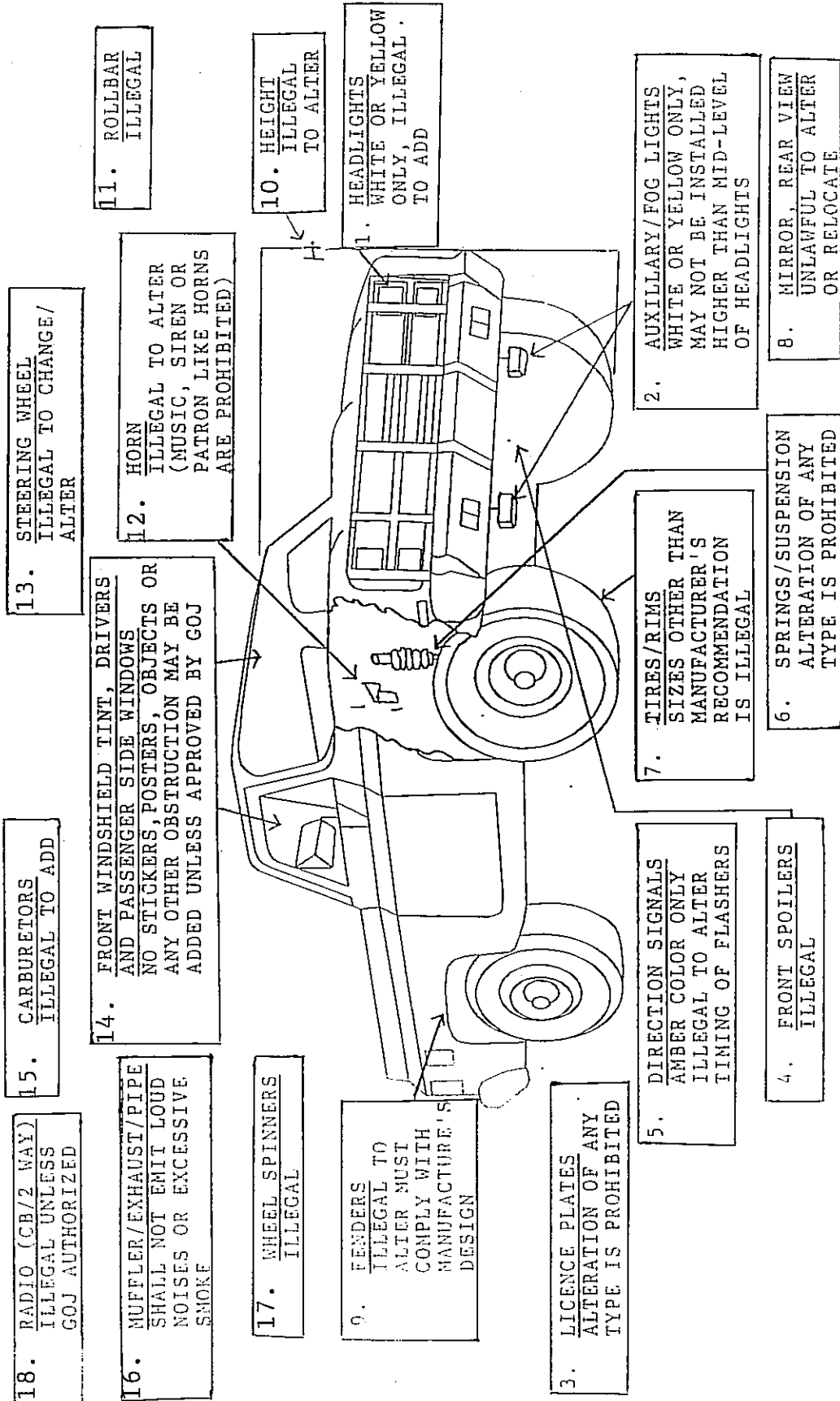
### GUIDELINE FOR ILLEGAL MODIFICATIONS "OF CARS"



# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX F

### GUIDELINE FOR ILLEGAL MODIFICATIONS "OF TRUCKS"





# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX G

### TABLE OF CONTENTS FOR INFORMATION BOOKLETS

#### VEHICLE REGISTRATION AND INSPECTION:

EQUIPMENT OF VEHICLES . . . . .	CHAPTER 7
REGISTRATION OF VEHICLES . . . . .	CHAPTER 1
VEHICLE SAFETY INSPECTION STANDARDS . . . . .	APPENDIX C
STATEMENT OF RESPONSIBILITY . . . . .	APPENDIX D
GUIDELINES FOR ILLEGAL MODIFICATIONS "OF CARS" . . .	APPENDIX E
GUIDELINES FOR ILLEGAL MODIFICATIONS "OF TRUCKS" . .	APPENDIX F
MAP TO LAND TRANSPORTATION OFFICE (LTO) AND TAX OFFICE . . . . .	APPENDIX H

#### LICENSING AND ROAD REGULATIONS:

DRIVER'S LICENSE . . . . .	CHAPTER 2
DRIVING PRIVILEGES . . . . .	CHAPTER 3
INTERNATIONAL ROAD SIGNS . . . . .	APPENDIX B
POINT ASSESSMENT FOR TRAFFIC VIOLATIONS . . . . .	APPENDIX A
POLICE TRAFFIC SUPERVISION . . . . .	CHAPTER 5
RULES OF THE ROAD . . . . .	CHAPTER 6

#### TRAFFIC COURT ORGANIZATION AND ADMINISTRATIVE PROCEDURES:

ADMINISTRATIVE . . . . .	INTRODUCTION
CENTRALIZED TRAFFIC COURT . . . . .	CHAPTER 4
DRIVING PRIVILEGES . . . . .	CHAPTER 3
POINT ASSESSMENT FOR TRAFFIC VIOLATIONS . . . . .	APPENDIX A
SCHEDULE OF ADMINISTRATIVE ACTIONS FOR TRAFFIC LAW VIOLATIONS . . . . .	APPENDIX A

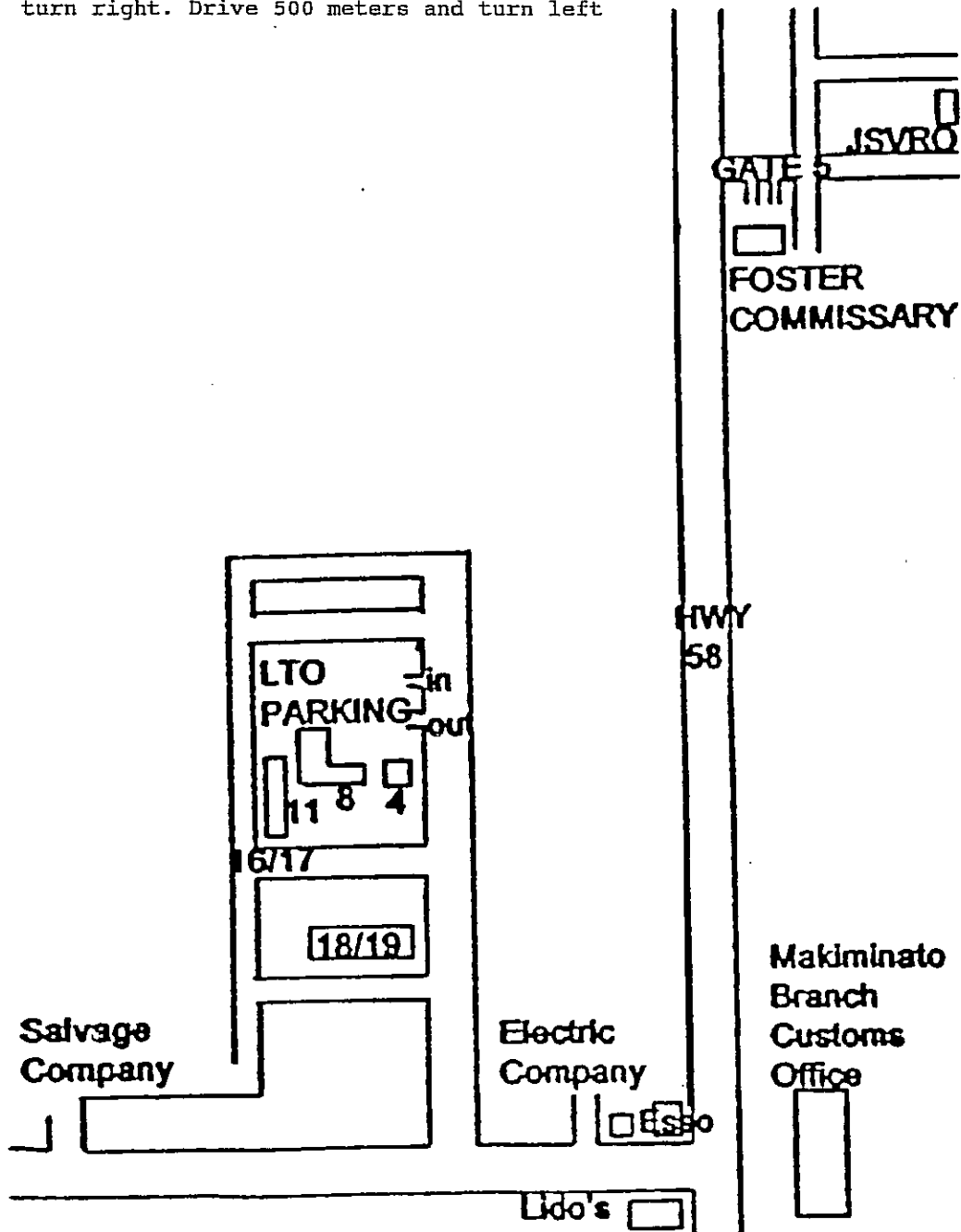
# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX H

### MAP TO LAND TRANSPORTATION OFFICE (LTO) AND TAX OFFICE

#### DIRECTIONS:

Drive south on Hwy 58 from Camp Foster  
Gate 5 for approximately six kilometers  
and turn right at the Esso Station. Drive  
300 meters to the first traffic light and  
turn right. Drive 500 meters and turn left





UNITED STATES MARINE CORPS  
MARINE CORPS BASES, JAPAN  
CAMP SMEDLEY D. BUTLER, OKINAWA  
UNIT 35001  
FPO AP 96373-5001

OFFICIAL FILE COPY

MARCORBASE JAPAN P11240.1B Ch 1  
22 Dec 94

MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 1

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

1. Purpose. To direct pen changes to the basic Order.

2. Action

a. Appendix A, Miscellaneous Violations, line 7009.1, change to read:

<u>"1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>
2pts *W	S 2 weeks	S 90 days"

b. Appendix A, Miscellaneous Violations, line 7009.2, change to read:

<u>"1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>
2pts *W	S 2 weeks	S 90 days"

3. Filing Instructions. File this Change transmittal immediately behind the signature page of the basic Order.

  
K. H. STIVERS

Deputy Chief of Staff

DISTRIBUTION: A

Copy to: MCB, CamBut LISTS II/IV/VI  
Base Cmdr, KAB (20)  
COMFLEACT (10)  
USAGO (10)  
PMO (20)



HEADQUARTERS  
MARINE CORPS BASE  
UNIT 35025  
FPO AP 96373-5025

MARCORBASESJAPANO P11240.1B Ch 2  
27D  
27 Feb 95

MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 2

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

1. Purpose. To direct pen changes to the basic Order.
2. Action

a. Chapter 4, Traffic Court Location and Convening Times, paragraph 4004.2, change to read:

Traffic Court for all other personnel will be conducted at 0800 on Tuesday, beginning with the 2nd Tuesday of the month at Building 5716, Legal Services Support Section, 2nd deck Court Room, Camp Foster, and at 0800 on the third Thursday of each month, Building 2494, Camp Hansen. The Camp Foster location will be for all personnel living south of Kadena Air Base, and the Camp Hansen location will be for all personnel living north of Kadena Air Base. If an individual does not appear at Traffic Court as specified, it will be assumed that a plea of guilty has been offered and action will be taken against the individual's driving record in accordance with Appendix A. These convening times are subject to change by the Base Inspector's Office.

3. Filing Instructions. File this Change transmittal immediately behind the signature page of Change 1 to the basic Order.

R. H. STIVERS  
Deputy Chief of Staff

DISTRIBUTION: A

Copy to: MCB, CamBut LISTS II/IV/VI  
Base Cmdr, KAB (20)  
COMFLEACT (10)  
USAGO (10)  
PMO (20)



CAMP SMEDLEY D. BUTLER, OKINAWA  
UNIT 35001  
FPO AP 96373-5001

MARCORBASESJAPANO P11240.1B Ch 3  
27E  
8 Feb 96

MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 3

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

1. Purpose. To direct pen changes to the basic Order.

2. Action

a. Add to list of references on page 1; (o) Interim Change 1-2 to OPNAVINST 5100.25A, (p) MCO 5100.19C and (q) DoDInst 6055.4.

b. Change paragraph 6037.3 in its entirety and add paragraph 6037.4 to read:

"3. It is required that every person riding a bicycle wear an American National Standards Institute (ANSI), or Snell Memorial Foundation (SNELL) approved safety helmet. Additionally, it is recommended that every person riding a bicycle wear the following safety equipment, according to the location of the ride:

a. Housing and public areas: Reflective vest.

b. BMX track: Knee and elbow pads and gloves.

4. Violations of this provision will be treated as misconduct and so enforced by the Provost Marshal. Violators will be issued Minor Offense reports, which will be forwarded to the active duty member's command, or the Base Inspector in the case of civilians."

c. Change paragraph 6038.2 to read:

"2. It is required that any person riding a skateboard, roller skates, or roller blades wear an ANSI or SNELL approved safety helmet. Additionally, it is recommended that these individuals also wear protective equipment specifically designed for such purposes (e.g., knee and elbow pads, and gloves). Violations of this paragraph will be handled as outlined in paragraph 6037.4."

3. Filing Instructions. File this Change transmittal immediately behind the signature page of the second Change transmittal sheet.



K. H. STIVERS  
Deputy Chief of Staff

DISTRIBUTION: A

Copy to: MCB, CamBut List II/IV/VI  
Base Cmdr, KAB (20)  
COMFLEACT (10)  
USAGO (10)  
PMO (20)



UNITED STATES MARINE CORPS  
MARINE CORPS BASES, JAPAN  
CAMP SMEDLEY D. BUTLER, OKINAWA  
UNIT 35001  
FPO AF 96373-5001

IN REPLY REFER TO:

MARCORBASESJAPANO P11240.1B Ch 4  
27  
20 June 1996

MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 4

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

Encl: (1) New pages inserts to MARCORBASESJAPANO P11240.1B

1. Purpose. To transmit new page inserts to the basic Manual.
2. Action. Remove pages 2-3 and 2-4 and replace with the corresponding pages contained in the enclosure.
3. Summary of Changes. Paragraph 2001 has been changed to reflect a specified time limit before E-5s and below are allowed to obtain a USFJ-4 driver's license.
4. Change Notation. Significant changes in the revised pages for this Change are denoted by an arrow (➔) symbol.
5. Filing Instructions. This Change transmittal will be filed immediately following the signature page of the basic Manual.
6. Certification. Reviewed and approved this date.

H. W. RODRIGUEZ  
Acting Deputy Chief of Staff

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UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
CAMP SMEDLEY D. BUTLER, OKINAWA  
UNIT 35001  
FPO AP 96373-5001

MARCORBASESJAPANO P11240.1B Ch 5  
27


01 AUG 1996

MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 5

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

Encl: (1) New page inserts to MARCORBASESJAPANO P11240.1B

1. Purpose. To transmit new page inserts to the basic Manual.
2. Action. Remove pages 1-3 and 1-4 and replace with the corresponding pages contained in the enclosure.
3. Summary of Changes. Paragraph 10006.c(1) and (2) have been changed to reflect new mandatory insurance requirements. Because of the scope of this change, commanders and supervisors will take action to ensure all personnel are aware of the new insurance requirements.
4. Information. Individuals assigned to or employed by Marine Corps Bases, Japan, (excluding IHA and MLC employees) who acquire a vehicle after 1 August 1996, will be required to abide by paragraph 10006.c(1) of this Order immediately. Individuals whose existing property damage insurance policy or JCI policy expires after 1 August 1996 but before 1 October 1996, will abide by paragraph 10006.c(1) of this Order when renewing their policies. Those with an existing policy with an expiration date on or after 1 October 1996, will have until 1 October 1996 to abide by paragraph 10006.c(1) of this Order.
5. Change Notation. Significant changes in the revised pages for this Change are denoted by an arrow (  ) symbol.
6. Filing Instructions. This Change transmittal will be filed immediately following the signature page of the basic Manual.
7. Certification. Reviewed and approved this date.

L. E. CONATSER  
Deputy Chief of Staff

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 1

### REGISTRATION, LICENSING, AND INSPECTION OF PRIVATELY OWNED/ COMMERCIAL VEHICLES AND VEHICLES OF QUASI-OFFICIAL AGENCIES OF THE U.S. FORCES, JAPAN

#### 1000. BASIC REQUIREMENTS FOR APPLICATION OF REGISTRATION

1. Within 10 days of taking possession, receiving, or acquiring a vehicle, United States Forces Japan (USFJ) personnel will report to the Joint Services Vehicle Registration Office (JSVRO). At the time of reporting, personnel will be prepared to complete the registration process within the Japanese and military authorities within seven work days. United States Forces Japan personnel will present privately owned motor vehicles to which they have title, possession, or custody to Government of Japan authorities for inspection, registration, and obtaining of number plates. Additionally, all motor vehicles which USFJ personnel have presented to Government of Japan (GOJ) authorities for inspection, registration, and obtaining of number plates will be presented to the JSVRO for military registration.
2. Motor vehicles not registered as provided for in this Chapter will not be serviced at gasoline, petroleum, oil, or lubricant service stations, outlets, or garages on USFJ facilities or areas, or at such service stations, outlets, or garages operated by or for the USFJ unless the registered owner of the motor vehicle is present and requests the service and has a valid USFJ identification. United States Embassy and United Nations Command personnel must present valid United States Embassy or United Nations Command identification. Non-United States Forces Japan registered motor vehicles described in paragraph 1018 of this Chapter do not have this privilege, except for vehicles rented through authorized base concessions, registered to retired military personnel, or issued a temporary vehicle pass in conjunction with paragraph 1021 of this Chapter.
3. Motor vehicles registered with the JSVRO will be registered to one owner (excluding licensed car dealers) for a minimum of 120 days before being eligible for re-registration, except upon receipt of Permanent Change of Station (PCS) orders. No one is permitted to register a motor vehicle with fewer than 30 days remaining until their rotation tour date. The total number of registered, privately owned motor vehicles per USFJ registrant is limited to one passenger vehicle and one motorcycle per licensed USFJ family member. Exceptions to these restrictions will be requested through the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler, and handled on a case by case basis, only after appropriate endorsements have been given by the individual's administrative chain of command.
4. All personnel who have registered a motor vehicle in Okinawa will deregister it at both the GOJ Land Transportation Office and the JSVRO at least 15 days before their rotation tour date. Deregistration must be completed before final clearance is granted by the JSVRO. Final clearance will also be given to United States Forces vehicle owners with orders for Permanent Change of Station who have initiated a special Power of Attorney in accordance with paragraph 1024 and updated their military registration with the Power of Attorney holder's identification and expiration date.

## MOTOR VEHICLE TRAFFIC SUPERVISION

5. USFJ registrants may initiate either a Power of Attorney to another USFJ person or a Letter of Attorney to either another USFJ person or Non-USFJ person, authorizing a second party to register/deregister their vehicle. The Letter of Attorney may be initiated at the JSVRO.

6. Evidence of the following must be presented by registrants or their authorized designees at the time of registration:

a. Identification Card. Either an active duty U.S. Armed Forces Identification Card or civilian Uniformed Services Identification and Privilege Card stipulating sponsor status.

b. Driver's License. A valid USFJ Form 4EJ driver's license for the type of vehicle to be registered.

c. Proof of Insurance:

(1) All U.S. Armed Forces Personnel and Civilian Employees assigned or employed by Marine Corps Bases, Japan, (excluding IHA and MLC employees) will obtain and furnish proof of the following insurance coverage. Failure to maintain the required insurance coverage constitutes a violation of this order.

(a) Property Damage Insurance (PDI) of ¥3,000,000;

(b) Bodily Injury Insurance (BI) of ¥30,000,000, issued in the name of the registrant for one year or until the registrant's Japanese inspection expiration or Rotation Tour Date, whichever occurs first; and,

(c) Japanese Compulsory Insurance (JCI) as required by Japanese Motor Vehicle Damage Compensation Guaranty Law, which has been transferred into the name of the new registrant.

(2) All other personnel subject to this order shall obtain and furnish proof of the following insurance coverage.

(a) Property Damage Insurance (PDI) of at least \$5,000 issued in the name of the registrant for one year or until the registrant's Japanese inspection expiration or rotation tour date, whichever occurs first.

(b) Japanese Compulsory Insurance (JCI) as required by Japanese Motor Vehicle Damage Compensation Guaranty Law, which has been transferred into the name of the new registrant.

7. Dependents may not register privately owned motor vehicles in their name.

8. Except where the right to operate a motor vehicle has legally ended for cause by a state, territory, military, Japanese, or federal authority, the privilege to operate a privately owned motor vehicle on USFJ installations will normally be extended to the following:

a. USFJ personnel and their dependents.

b. Retired military personnel and their dependents.

c. Japanese Nationals employed by USFJ at the facility where employed only.

d. Guests of military personnel stationed at the entered facility.



# UNITED STATES MARINE CORPS

MARINE CORPS BASES, JAPAN  
CAMP SMEDLEY D. BUTLER, OKINAWA  
UNIT 35001  
FPO AP 96373-5001

MARCORBASESJAPANO P11240.1B Ch 6

27

7 APR 1999

## MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 6

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

Ref: (a) MCBJ/III MEF Policy Letter 3-99

Encl: (1) New pages for Chapter 2

1. Purpose. To update the basic Order.

2. Action

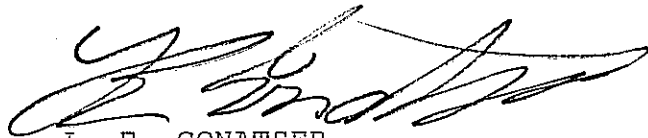
a. In addition to the following specific changes, reference (a) guidance applies. Of importance and as a general rule, Lance Corporals and below will not be authorized to drive a privately owned vehicle (POV). Permission to be Status of Forces Agreement (SOFA) licensed, in these cases, will be on an exceptional case by case basis only. Authorization by commanders at the Battalion or Squadron level or above will be based on the individual's "need to drive" and maturity with possible restrictions to the privilege applying. Stateside licenses without a SOFA license are not valid on Japanese roadways.

b. Change chapter 1, paragraph 1004.2.i. to read "...personnel of the JSVRO. Military registration decals will not be affixed to motor vehicles for off base operation unless the owner is authorized off base driving privileges. All decals remain..."

c. Remove and replace Chapter 2 in its entirety.

3. Summary of Changes. Chapter 1 is changed to reflect the marking of vehicles owned by personnel with on base only driving privileges. Chapter 2, Operator's Permit has been completely updated to reflect revised procedures for obtaining an operator's permit.

4. Filing Instructions. This Change transmittal will be filed immediately following the signature page of the basic Order.



L. E. CONATSER  
Deputy Chief of Staff

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MCB LIST II/V/VI

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## CHAPTER 2

### OPERATOR'S PERMIT

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# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 2

### OPERATOR'S PERMIT

2000. UNITED STATES FORCES JAPAN (USFJ) OPERATOR'S PERMIT. In accordance with Article X of the Status of Forces Agreement (SOFA), the Government of Japan will accept as valid, without a driving test or fee, the driver's permit issued by United States Forces Japan. An operator's license issued by authorities of the Japanese Government is not required, and can not be obtained by United States Forces Personnel. Japanese personnel operating vehicles owned by the United States or an instrumentality of the United States are required to possess a Government of Japan driver's license. The United States Forces Japan Operator's Permit for Civilian Vehicles (USFJ Form 4 EJ) is the only permit authorized for United States Forces Japan personnel operating privately owned vehicles (POV) in Japan. Authorities of this Command may issue operator's permits to USFJ personnel assigned in Japan under the control of this Command, and may withdraw, suspend, or revoke such permits. Each vehicle operator will have the proper permit (as prescribed in this Chapter) in their personal possession when operating a vehicle.

1. USFJ operator's permits will expire three years from the date of issue or upon loss of status under SOFA.

2. Operation of motorcycles requires additional testing and endorsement of the (USFJ Form 4 EJ) Operator's Permit. Additionally, operation of buses and heavy trucks of SOFA-status organizations and registered with "Official Vehicle" number plates requires additional testing and endorsement of the (USFJ Form 4 EJ) Operator's Permit.

### 2001. REQUIREMENTS FOR OBTAINING A UNITED STATES FORCES JAPAN PERMIT FOR CIVILIAN VEHICLES (USFJ FORM 4 EJ)

1. All applicants must have SOFA status and a valid Identification Card.

a. Dependents must provide one of the following documents to verify SOFA status:

- (1) Area Clearance
- (2) Sponsor's Permanent Change of Station Orders

2. All applicants must have either an international driver's license; a valid operator's permit from a State/U.S. Territory, or another recognized country (as determined by the Safety Director); or an OF 346 (U.S. Government Operators Permit). If the OF 346 is used, it must qualify the operator for motor transport vehicles of 1 1/4 ton or greater.

## MOTOR VEHICLE TRAFFIC SUPERVISION

3. All active duty personnel under the age of 26 will be required to attend an accredited Drivers Improvement Course (DIC).

4. Applicants will present to the licensing examiner an application for a permit signed by the appropriate authority. Appropriate authority is as follows:

a. Active duty military E-6 and above may sign their own request.

b. Active duty military E-5 and below must have a request form signed by their Commander who must be at the Battalion/Squadron level or higher.

c. Civilians and dependents age 18 and over may sign for themselves.

d. Dependents under age 18 must have a parent or guardian present to sign the request form and a letter of responsibility.

5. Battalion or Squadron level Commanders will closely screen applicants to ensure that the applicant has met the minimum requirements for driving on Okinawa before endorsing the request form. Commanders will at a minimum:

a. Provide written authorization for E-5 and below to operator a POV or rental vehicle. Such authorization must be signed by the commander or a person officially acting due to the commander's absence. "By direction" is not authorized. Signature samples must be provided to the appropriate Base Safety office.

b. Restrict or revoke the driving privileges of those service members whose driving record is substandard, or who do not possess the maturity to safely operate a motor vehicle in Japan. Restricted driving permits will be indelibly marked on the back with the applicable restriction. "On base only" restriction will be highlighted in red. Personnel restricted to "on base only" driving privileges will be directed to the Joint Services Vehicle Registration Office on Camp Foster to have their POV decals modified.

6. All personnel applying for the USFJ Form 4 EJ must:

a. Have attained their 16th birthday by the date of application.

b. Have no physical disabilities (sight, hearing, color blindness) that would impair operation of a motor vehicle in a safe manner. Applicants with these disabilities will be required to consult with a physician, who must certify that the individual is capable of safe driving and present such to the Safety Office.

## MOTOR VEHICLE TRAFFIC SUPERVISION

c. Have no emotional instability as determined by the appropriate medical authorities that would warrant disqualification.

d. Pass a written examination on Japanese traffic laws, international road signs, and Base traffic regulations. Tests are written in English.

e. Pass a road test, as required.

2002. FOUR-WHEELED MOTOR VEHICLE PERMITS. Applicants must pass a written examination on Japanese traffic laws, international road signs, and military base traffic regulations.

2003. TWO-WHEELED MOTOR VEHICLE PERMITS. Applicants must have a valid operator's permit (USFJ Form 4 EJ) to operate four-wheeled motor vehicles and successfully complete a course approved by the Motorcycle Safety Foundation (MSF) to qualify for a motorcycle endorsement. This training is currently provided by the Base Safety Motorcycle Training School, or it can be completed at another MSF accredited facility. Completion certificates from other facilities are valid for five years. If the completion certificate is more than five years old, refresher training will be provided by the Base's school. If the applicant's completion certificate is less than five years old, a class dealing with local laws will be provided by the Base Safety School.

2004. LIMITED PERMITS (ON-BASE ONLY). Personnel 16 through 18 years of age qualify for a limited permit. Additionally, all first time drivers (never having had a license) can be issued a limited permit for 30 days regardless of age. Limited permits will be annotated on the front and back with the words "On Base Only." The limitation can only be removed by the Base Safety Office.

2005. RESTRICTED PERMITS. Restricted permits will be annotated on the front and back (i.e., to and from work, medical, chapel, etc.). Removal of traffic offense related restrictions can only be approved by the Base Inspector's Office. Commander's will approve removal of restrictions imposed by the command. Upon written approval, a new permit will be issued by the Base Safety Director.

2006. STUDENT/LEARNER'S PERMITS. Student/learner's permits can be issued to qualifying individuals who do not have a valid license and are undergoing training to operate a four-wheeled vehicle. These permits will be valid for no more than 90 days. Student/Learner's permits are only valid aboard U.S. military installations on Okinawa and only when the operator is accompanied by a qualified operator. Instances when student/learner's permits will be issued are:

### 1. Military personnel

a. Driving School. When proof of completion of a certified



## MOTOR VEHICLE TRAFFIC SUPERVISION

American Automobile Association (AAA) Driver Improvement Course (if required by age) and proof of registration in an accredited driver training course (Kadena's Schilling Recreation Center) is provided to the Base Safety Office by the applicant, the learner's permit will be delivered by MCB Safety personnel to the driver's school at Kadena. Upon successful completion of the school, the applicant will be issued a limited permit for 30 days. After 30 days, the restriction can be lifted by Base Safety.

b. Trained by Command. When proof of completion of a certified AAA Driver Improvement Course is given and by successfully completing a written examination given by the Base Safety Office, training will be conducted under the direct supervision of the member's NCOIC. The applicant's NCOIC will make an appointment with the MCB Safety Office, Driver Training-Section, for a road test. Upon successful completion of the road test, the applicant will be issued a limited permit which will allow the individual to drive "On Base Only" for 30 days. After 30 days, the restriction can be lifted by Base Safety.

### 2. Dependents over 16 years of age

a. Driving School. When proof of registration in an accredited driver training course (Kadena's Schilling Recreation Center) is provided to the Base Safety Office by the applicant's parent, guardian, or sponsor, the learner's permit will be delivered by MCB Safety personnel to the driver's school at Kadena. Upon successful completion of the school, the applicant will be issued a limited permit for 30 days. Individuals will drive "On Base Only" for at least 30 days and/or until they have reached their 18th birthday. The restriction can be lifted by Base Safety.

b. Parent, Guardian or Spouse Trained. The applicant presents proof of completion from a certified American Automobile Driver's Improvement Course and successful completion of a written examination given by the Base Safety Office. When the parent, guardian, or spouse feels applicant is qualified, the parent, guardian, or spouse will make an appointment with the MCB Safety Office, Driver Training Section, for a road test (the parent, guardian, or spouse must accompany the student to the road test). Upon successful completion of the road test, the applicant will be issued a limited permit which will allow the individual to drive "On Base Only" for at least 30 days unless they have reached their 18th birthday.

3. Any violation of the above requirements will result in revocation of the student/learner's permit and the denial of a standard permit issuance for a period not to exceed six months. Individuals under the age of 18 who do drive off base will have their driving privilege revoked until they become 18 years of age.

2007. DUPLICATE PERMITS. Permits which become lost, stolen, or destroyed will be replaced under the following conditions (all

## MOTOR VEHICLE TRAFFIC SUPERVISION

letters requesting a duplicate permit must have an endorsement from the Base Inspector/Traffic Court):

1. Active duty E-5 and above are required to obtain a letter from their Battalion/Squadron Commander stating that the permit is not restricted, suspended, revoked, or taken for disciplinary action. Additionally, a new application form signed by the Battalion/Squadron Commander is required.

2. Active duty E-6 and above, civilians, and dependents thereof over 18 years of age will submit a letter to the Safety Director, stating that their permit is not suspended, revoked, or taken for disciplinary action. A new application form is required.

3. Dependents under 18 years of age are required to come in with their parent or guardian. The parent or guardian is required to provide a letter to the Safety Director, stating that their dependent's permit is not suspended or revoked and request a duplicate permit by completing a new application form.

2008. RENEWAL PERMITS. Renewal permits may be issued by Base Safety up to six months after a license has expired with no testing required. All renewal permits require a new application form signed by the appropriate authority.

2009. GOVERNMENT VEHICLE OPERATOR'S PERMIT. Persons operating government owned vehicles and the private owned vehicles of Non-Appropriated organizations registered with "Official Vehicle" number plates will have in their possession the following:

1. A valid OF 346 (Stamped with Japanese characters indicating that it is a driver's license) indicating that the person is authorized to operate that particular type of vehicle being driven.

2. Dependents of service personnel will not drive government owned vehicles unless employed by United States Forces and assigned duties requiring them to drive such vehicle.

2010. LICENSE TO BE CARRIED AND EXHIBITED ON DEMAND

1. Every operator shall have their operator's permit in their immediate possession at all times when operating a motor vehicle, and shall display the same upon demand of law enforcement personnel; however, no person charged with violating this section shall be convicted if they produce in traffic court an operator's permit issued to them and valid at the time of their apprehension.

2. For the purposes of this section, "display" means the manual surrender of their operator's permit into the hands of the law enforcement person lawfully demanding inspection.

## MOTOR VEHICLE TRAFFIC SUPERVISION

2011. UNLAWFUL USE OF OPERATOR'S PERMIT. It is unlawful for any person:

1. To display, cause or permit to be displayed, or have in their possession any canceled, revoked, suspended, fictitious, or fraudulently altered operator's permit.
2. To lend their operator's permit to any other person or knowingly permit the use thereof by another.
3. To fail or refuse to surrender to the Provost Marshal upon lawful demand any operator's permit which has been suspended, revoked or canceled.
4. To use a false or fictitious name in any application for an operator's permit, or to knowingly make a false statement for an operator's permit, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application.
5. To permit any unlawful use of an operator's permit issued to them.
6. To do any act forbidden, or fail to perform any act required by this chapter.

2012. PERMITTING UNAUTHORIZED MINOR TO DRIVE. No person shall cause or knowingly permit their child or ward under the age of 18 years to drive a motor vehicle upon any highway when such minor is not authorized by the provisions of this chapter.

2013. PERMITTING UNLICENSED PERSON TO DRIVE. No person shall authorize or knowingly permit a motor vehicle owned by them or under their control to be driven upon any highway by any person who is not authorized hereunder or who is not licensed for the type of vehicle to be driven.

2014. PERMITTING PERSON TO DRIVE WHILE INTOXICATED. No person shall authorize or knowingly permit an individual to operate or be in control of a motor vehicle while under the influence of alcohol.



UNITED STATES MARINE CORPS

MARINE CORPS BASES JAPAN

CAMP SMEDLEY D BUTLER, OKINAWA

UNIT 95001  
FPO AP 96373-5001

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MARCORBASESJAPANO P11240.1B Ch 7

32

26 JUN 2001

MARINE CORPS BASES JAPAN ORDER P11240.1B Ch 7

From: Commander  
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC SUPERVISION

Encl: (1) New page inserts to MARCORBASESJAPANO P11240.1B  
(2) List of Effective Pages

1. Purpose. To transmit new page inserts and direct pen changes to the basic Order.

2. Action

a. Remove pages 3-5, 3-6, 3-7, 3-8, 5-3, 5-4, Appendices A-1, A-2, A-5 and A-6; and replace with corresponding pages contained in the enclosure.

b. Change the page number of Change 4 transmittal page to read "11" vice "9."

c. Change the page number of Change 5 transmittal page to read "13" vice "10."


d. In subparagraph 3002.5b(9), delete the following sentence:  
"This suspension will be for one year in accordance with DOD Directive 1010.7."

3. Summary of Changes. In the case of specific traffic convictions, this change makes effective the involuntary forfeiture of all POV driving privileges for the duration of assignment to III MEF/Marine Corps Bases Japan and is applicable to both active duty and civilians.

4. Change Notation. Paragraphs noted by an asterisk (\*) symbol contain changes not previously published.

5. Filing Instructions. File this change transmittal immediately behind the signature page of the basic Order.

6. Certification. Reviewed and approved this date.

  
K. D. DUNN  
Chief of Staff

DISTRIBUTION: MCBJ LIST A  
MCB LIST II

Copy to: Base Comdr, KAB (20)  
COMFLEACT (10)  
USAGO (10)  
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completion of said training, in this case, such suspension will be for a period of not less than 30 days.

#### 4. Suspension by the Provost Marshal

a. The Provost Marshal is hereby authorized to suspend the privilege to drive a motor vehicle without preliminary hearing upon a showing by record or other sufficient evidence that the licensee:

(1) Has committed an offense for which mandatory revocation of license/privilege is required upon conviction.

(2) Is incompetent to drive a motor vehicle (mental or physical impairment).

(3) Has permitted an unlawful or fraudulent use of such license.

(4) Failed to comply with vehicle registration requirements as outlined in this Manual.

(5) Used a motor vehicle for the purpose of illicit trade in goods or commodities (black market activities).

(6) Was involved in an intoxicated driving incident (refusal, Driving Under the Influence (DUI) or Driving While Intoxicated (DWI)).

b. Suspension initiated by the Provost Marshal under the provisions of this Manual shall not be for a period greater than 30 days. Cases which are not heard by the Traffic Court within the time period stated shall result in the reinstatement of licensee's driving privileges.

#### 5. Revocation by the Traffic Court

a. Revocation of driving privileges shall be for a specific period of not less than six months.

b. The Traffic Court shall revoke the driving privileges of any person accumulating 12 points or more in a one year period and/or convicted of the following offenses:

(1) Manslaughter (or negligent homicide by vehicle) resulting from the operating of a motor vehicle.

(2) Driving or being in actual physical control of a motor vehicle while intoxicated.

(3) Driving a motor vehicle while a habitual user, or under the influence of any narcotic or while under the influence of any other drug (including alcohol) to a degree rendering them incapable of safe operation.

(4) Use of a motor vehicle in the commission of a felony.

(5) Fleeing the scene of a traffic accident involving death or personal injury (hit and run).

(6) Perjury or making a false affidavit or statement under oath to responsible officials under law or regulation relating to the ownership or operation of a motor vehicle.

(7) Unauthorized use of a motor vehicle belonging to another, where the offense does not amount to a felony.

(8) The use of a motor vehicle to perpetrate the illicit trade of goods or commodities (black market activities).

\* (9) Refusal to submit to a chemical test under implied consent provision of paragraph 3001 of this Manual.

\* (10) Second incident involving driving a motor vehicle while under the influence of alcohol (.05 - .09% BAC).

c. Administrative revocation for a period of not less than two years will be imposed by the Traffic Court against personnel apprehended while driving when a suspension or revocation of their driving privileges is in effect. Appropriate disciplinary action will be recommended by the Traffic Court on the basis of the traffic offense in addition to this administrative action.

d. In those cases where driving privileges are revoked under implied consent provisions of this Manual and the individual is subsequently convicted for an intoxicated driving incident, the revocation period will run concurrently.

e. Personnel whose privileges have been revoked must be retested for adequate performance prior to reissuance of the operator's permit and reinstatement of privileges.

\* f. Based on the provisions of reference (a), personnel whose privileges have been revoked/suspended as a result of DUI, DWI, DWI refusal; allowing a person to operate a vehicle while under the influence of drugs or alcohol; operating a vehicle while under revocation/suspension; fleeing the scene of a traffic accident involving death or injury; racing or vehicular homicide; fleeing/eluding a police officer; or open container(s), shall forfeit their privileges to drive privately owned vehicles for the duration of their assignment to III MEF/Marine Corps Bases Japan. Additionally, based on the provisions of reference (a), any person, who by the cumulative effect of their overall driving record, fails to demonstrate the good judgment required of vehicle operators, shall forfeit their driving privileges for the remainder of their assignment to III MEF/Marine Corps Bases Japan.

## 6. Retrieval of POV/GOV Drivers License

- \* a. Personnel who appear in Traffic Court to have their case adjudicated and subsequently placed on driver's suspension or revocation, must relinquish their POV/GOV Drivers License to Traffic Court personnel. After the POV driver's license is retrieved, they are forwarded to Base Safety for retention. GOV license will be returned to the individual's commanding officer for disposition, as per subparagraph 3002.9.
- \* b. The Traffic Court Section will notify, in writing, the Commanding Officer of those personnel who have had their drivers license suspended and/or revoked. In the case of family members and other SOFA status personnel, the sponsor's commanding officer will be notified. Both POV and GOV licenses, when suspended and/or revoked, will be maintained by the PMO Traffic Court section or the Base Inspector's Office, as applicable.

## 7. Reinstatement of Driving Privileges

- a. Personnel who have had their driving privileges revoked must report to Base Safety after their revocation period has ended in order to be reissued a new drivers license.
- b. Personnel who have had their driving privileges suspended or revoked and were assigned to Remedial Drivers Training must show their certificate of completion to Traffic Court personnel before they will be given a letter of reinstatement.
- \* c. Any request for reinstatement of driving privileges submitted by personnel who have had their driving privileges suspended/revoked as a result of DUI, DWI, DWI refusal; allowing a person to operate a vehicle while under the influence of drugs or alcohol; operating a vehicle while under revocation/suspension; fleeing the scene of a traffic accident involving death or injury; racing or vehicular homicide; fleeing/eluding a police officer; or open container(s), must be endorsed by the member's chain of command to include the first general officer in the chain.

## 8. Restricted Privileges

- a. Upon imposition by the Traffic Court Officer of suspension or revocation of driving privileges, the subject may appeal such action to the Commanding General, Marine Corps Base, Camp Smedley D. Butler (see paragraph 4008 for appeal procedures). Such appeal may be predicated upon:

(1) Mission requirement.

(2) Unusual personal or family hardship; the latter of these exceptions will further assume that no reasonably available alternate means of transportation exists (e.g., carpools, public transportation, bicycling, walking, a second driver in household). Should a severe family



hardship be involved, the privileges of operating the family vehicle may be transferred to another family member qualified to operate a vehicle under the provisions of paragraph 1002. Further note that the latter exception does not authorize an individual to drive on a military installation if the subject's driver's license has been suspended or revoked by state, federal or host nation civil or administrative action.

b. Within the parameters of paragraph 3002.8a, the Base Inspector is authorized to grant restricted driving privileges.

c. Individuals found to be in violation of the restriction are subject to revocation action as prescribed in paragraph 3002.5c.

#### 9. Military Vehicle Operation

a. Any action taken by the Traffic Court Officer with regards to suspension/revocation of a person's civilian driving privileges shall also apply to the operation of U.S. Government vehicles off military installations on Okinawa. If desired, commanders may issue a U.S. Government Motor Vehicle Operator's Identification Card (SF-46) allowing the suspended/revoked individual to drive a government vehicle on military installations "ONLY" during the period covered by the suspension/revocation.

b. U.S. Government Motor Vehicle Identification Cards (SF-46) suspended/revoked under the provisions of this Manual will be turned in to the Marine Corps Base Traffic Court officials who will forward all permits to commanders concerned.

#### 10. Adjudication of Black Market Traffic Court Cases

a. The Traffic Court Officer will adjudicate black market traffic court cases concerning all Marines on Okinawa and Navy personnel attached to Marine Corps units.

b. The Base Inspector will adjudicate the black market traffic court cases on all military dependents and civilians (and their dependents) who are affiliated with the Marine Corps on Okinawa, at the same time that the administrative hearing is conducted.

3003. DRUG/ALCOHOL PROGRAM. Persons subject to this Manual and licensed to operate a motor vehicle under the provisions of this Manual may be referred for participation in the Command Drug/Alcohol Treatment and Rehabilitation Program by the Traffic Court Officer. Successful completion of the course of treatment is a prerequisite for reinstatement of driving privileges when suspension/revocation was based on use of intoxicants.

- \* 3004. REMEDIAL DRIVER TRAINING. Persons subject to this Manual and licensed to operate a motor vehicle under the provisions of this Manual may be referred to an appropriate remedial driver training program by the Traffic Court Officer. Such referrals are at the discretion of the referring officer, except in the case of drivers who have accumulated more than six traffic points on their driving record, within a 6 month period, or are involved in a traffic accident and their actions were found to have contributed thereto, or they have had their driving privileges suspended/revoked. In those cases, successful completion of remedial drivers training is mandatory.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## CHAPTER 5

### POLICE TRAFFIC SUPERVISION

#### 5000. MILITARY POLICE PATROL AND INVESTIGATIVE ACTIVITIES

1. For the purpose of this directive, the term "U.S. Forces Japan (USFJ) personnel" includes members of the U.S. Armed Forces, the civilian component, and dependents of the U.S. Armed Forces and civilian component.
2. In accordance with agreements with the Government of Japan (GOJ), the maintenance of order and discipline among USFJ personnel outside the boundaries of USFJ facilities or areas is the responsibility of USFJ law enforcement officials. Included in this function and responsibility are off-base streets and highways on which the enforcement of traffic laws by Military Police personnel shall be limited to citations of violations observed and apprehension of individuals driving under the influence of alcohol or drugs.
3. Article XVII of the Status of Forces Agreement states that the right to exercise primary jurisdiction may be waived by either U.S. Forces Japan or the GOJ. Accordingly, Military Police personnel are to be prepared to assume responsibility to investigate incidents involving U.S. Forces Japan personnel that occur outside USMC/USN facilities when the Japanese Police decline to investigate.
4. Punitive action taken by Japanese authorities for violations of Japanese Traffic Control Laws or Regulations does not preclude the assessment of traffic points (Chapter 3). When offenses violate the Uniform Code of Military Justice (UCMJ), and the GOJ does not exercise jurisdiction, Commanders are authorized to take appropriate disciplinary action. Whether a traffic offense violates the UCMJ or not, administrative action (traffic point assessment) will be taken.
5. Within their area of responsibility, Military Police will investigate all traffic accidents that occur off-base which involve USFJ personnel.

5001. ALCOHOL AND DRUG COUNTERMEASURES. Enforcement will include measures for detection, apprehension, and testing of personnel who are suspected of driving under the influence of alcohol or drugs to include employment of special patrols during periods when driving while under the influence violations most frequently occur.

1. Detection and Apprehension. Law enforcement personnel normally detect drunk driving violators by observing unusual, abnormal, or illegal driver behavior. Personnel exhibiting such behavior will be stopped immediately to determine the cause of the behavior and/or take appropriate enforcement action.

2. Testing. Under the implied consent policy in paragraph 3001 of this Manual, any person who operates a motor vehicle on Okinawa is deemed to have given consent to a chemical test or tests of their blood or breath, for the purpose of determining the alcoholic content of their blood if apprehended, cited, or stopped for any reason arising out of acts alleged to have been committed while the person was driving or in the actual physical control of motor vehicle, while under the influence of intoxicating liquor or drugs.

\* 3. Refusal. If a person suspected of driving under the influence refuses the request of any police officer to submit to a chemical test, none will be given. The police officer invoking implied consent or their supervisor verifying such action will warn the individual that their failure to submit or complete such test will result in the revocation of their driving privileges for one year and forfeiture of driving privileges for the duration of their assignment to III MEF/Marine Corps Bases Japan. Such person shall also be advised that they do not have the right to have an attorney present before stating whether they will submit to a test or during the administration of the test. If such person refuses to submit to or fails to complete a chemical test, the apprehending officer will complete a sworn statement that they had reasonable cause to believe such person had been driving, or was in actual physical control of a motor vehicle while under the influence of alcohol, or drugs and that the person refused to submit to, or failed to complete the test after being requested to do so. This statement shall attest:

a. That reasonable cause existed to believe the suspected person had been driving or was in actual physical control of a motor vehicle on Okinawa while under the influence of drugs, narcotics or alcohol.

b. The facts and circumstances constituting the reasonable cause.

c. The fact that the subject declined to submit to a chemical test upon request and after being advised of the applicable portions of the implied consent provisions of this Manual.

4. Upon receipt of the sworn statement, the Traffic Court Officer hearing the case will revoke the individual's privilege to operate a privately owned vehicle on Okinawa for a period of one year, unless the Traffic Court Officer determines after investigation, that:

a. There was no reasonable cause for the request for a chemical test.

b. The subject's cause for refusing to submit to the test was reasonable.

# MOTOR VEHICLE TRAFFIC SUPERVISION

## APPENDIX A

### SCHEDULE OF ADMINISTRATIVE ACTION/POINT ASSESSMENT FOR TRAFFIC LAW VIOLATIONS

BASE VEHICLE CODE	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
		1st	2nd	3rd	4th	5th	

#### DRIVER LICENSE VIOLATION

1005 & 2011.1	Driving without operator's permit in possession	*W	S15days	S40days	S60days	S90days	0
2000	Driving without a valid operator's permit	S6mo	R1yr	-	-	-	0
2004 thru 2007	Student/Limited driver's license violation	S90days	R1yr	-	-	-	**3
2012	Unlawful and/or fraudulent use of an official driver's license	S6mo	R1yr	-	-	-	**3
2014	Allowing unlicensed person to operate vehicle	S30days	S60days	S90days	S6mo	R1yr	0
2015 *W	Allowing a person to operate vehicle while under the influence of alcohol	S6mo	R1yr	-	-	-	0
*3002.5f, Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.							
3002 *W	operating vehicle while under suspension or revocation of driving privileges	R2yrs	-	-	-	-	0
*3002.5f, Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.							

NOTE: \*W -Indicates mandatory revocation.

\*W -Indicates "Warning."

\*\* -Indicates 1 additional point is added when violation results in traffic accident.

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
<u>REGISTRATION VIOLATION</u>								
	1000, 1003, 1004, 1015, 1017, 1022, & 3000.2	Failure to abide by Base and/or Japanese vehicle registration requirements	S30days until compliance	S6mo	R1yr	-	-	0
	1004	Invalid Japanese registration (seal missing from rear license plate)	S until compliance	-	-	-	-	0
	1004	Fraudulent use and/or stolen USFJ Form 15	R1yr	-	-	-	-	0
	1006 & 3000.3 3002	No vehicle registration in possession	*W	S15days	S30days	S60days	S90days	0
<u>ACCIDENT REPORTING VIOLATION</u>								
	5008 5010	Failure to report an accident to Military Police and/or Japanese Police	S90days	S6mo	R1yr	-	-	0
	5008.1 thru 5008.4	Fleeing the scene of a traffic accident (Hit and Run, no injury)	S6mo	R1yr	-	-	-	6
	3002 5008.1 thru 5008.4	Fleeing the scene of a traffic accident involving death, or personal injury (Hit & Run)	R1yr	-	-	-	-	0

\*3002.5E, Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
			S15days	S30days	S60days	S6mo	R1Yr	
6025		Failure to yield right-of-way to traffic on road when entering or crossing from an alley, private road or driveway						**4
6026.1		Failure to yield right-of-way to an emergency vehicle	S15days	S30days	S60days	S6mo	R1Yr	**4
6028.1		Failure to yield right-of-way to pedestrian within a cross-walk	S15days	S30days	S60days	S6mo	R1Yr	**4
6032		Failure to yield right-of-way to pedestrian on sidewalks	S15days	S30days	S6mo	R1Yr	-	**4
6039		Failure to exercise due care to avoid colliding with a pedestrian	S30days	S90days	S6mo	R1Yr	-	**4
6042		Failure to stop for loading or unloading school bus	S60days	S90days	S6mo	R1Yr	-	**4
6051.1								
6052		Speed too fast for conditions	S30days	S60days	S6mo	R1Yr	-	**2
6055		Speed too slow for conditions	*W	S15days	S30days	S60days	S90days	**2
6058.1		Racing on highways	S6mo	R1Yr	-	-	-	**6
*3002.5f,		Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
6059		Reckless driving	S6mo	R1Yr	-	-	-	**6
6062		Homicide by vehicle	R1Yr	-	-	-	-	0
*M								
*3002.5f,		Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
6063		Fleeing or attempting to elude a police officer	S6mo	R1Yr	-	-	-	**6
*3002.5f,		Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
6099		Careless driving	S30days	S60days	S6mo	R1Yr	-	**3

## RULES OF THE ROAD HAZARDOUS MOVING VIOLATION

# MOTOR VEHICLE TRAFFIC SUPERVISION

BASE VEHICLE CODE	SECTION	OFFENSE DESCRIPTION	ACTION TAKEN ACCORDING TO NUMBER OF OFFENSES					MANDATORY POINT ASSESSMENT
			1st	2nd	3rd	4th	5th	
6100		Conviction of violation of Art 211, Japanese penal code (professional negligence)	S6mo	R1yr	-	-	-	0
6101		Open containers in vehicle	S6mo	R1yr	-	-	-	**6
	*3002.5f,	Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
RULES OF THE ROAD								
DRIVING WHILE INTOXICATED (DWI)								
3001 &		Refusal to submit to a chemical test (implied consent)	R1yr	-	-	-	-	0
5001.3								
	*W							
	*3002.5f,	Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
3002.3b(3)		Operating a vehicle while under the influence of drugs/alcohol	S6mo	R1yr	-	-	-	**6
	*3002.5f,	Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
6060.1b		DUI (.05-.0999% BAC)	S6mo	R1yr	-	-	-	**6
	*M							
	*3002.5f,	Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
6060.1c		DWI BAC .10% or more or Under the Influence of illegal drugs	R1yr	-	-	-	-	0
	*M							
	*3002.5f,	Member forfeits driving privileges for the remainder of a III MEF/Marine Corps Bases Japan assignment.						
RULES OF THE ROAD PARKING VIOLATIONS								
6046		Unsafe starting of a stopped, standing, or parked vehicle	S15days	S30days	S60days	S90days	S6mo	**3
6064		Illegal parking, stopping, or standing outside of a business or residential district, or where prohibited by law	*W	3 pt	5 pt	S30days	S90days	0
6065.1								
6066								
6068								
6067.4		Parking in Handicap Space/ Fire lane	3 pt	S15days	S90days	S6mo	R1yr	3





# OFFICIAL FILE COPY

UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
CAMP SMEDLEY D. BUTLER, OKINAWA  
UNIT 35001  
FPO AP 96373-5001

BO P1640.8D  
27

09 OCT 2001

BASE ORDER P1640.8D

From: Commanding General  
To: Distribution List

Subj: MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES  
(SHORT TITLE: MCB SOP FOR C&R)

Ref: (a) SECNAVINST 1640.9B  
(b) SECNAVINST 5800.11A  
(c) SECNAVINST 5815.3H  
(d) MCM 1984  
(e) MCO 1640.3F  
(f) MCO 1640.5B  
(g) NAVMEDCOMINST 6320.11  
(h) MARCORBASESJAPANO 1640.1A

Encl: (1) Locator Sheet

1. Situation. To promulgate Marine Corps Brig, Camp Smedley D. Butler policy and procedures for the confinement and release of both post-trial and pretrial prisoners, per the references.

2. Cancellation. BO P1640.8C.

3. Mission. As a designated place of confinement for adjudged and sentenced prisoners and detainees (pretrial), the mission of the brig is to provide for the custody, control, and basic needs of all prisoners.

4. Execution

a. Subject title. The order title has been changed to a more limited title of Marine Corps Base Confinement and Release Procedures.

b. Content. The order is modified to include only confinement and release guidance, and administrative requirements for military units using the Brig.

c. Paragraph 1006.2. Procedures for handling and administering pregnant prisoners are updated.

d. Paragraph 2003-6. Unit commanders are directed to provide specific information concerning confinement of prisoners charged with Article 86 (i.e. surrendered, or apprehended, and if apprehended, by who and where). Procedures for confinement of individuals that refuse to submit to a pre-confinement medical examination are explained. Trial counsels are required to report Victim Witness information to the Brig Victim Witness Assistance Coordinator.

09 OCT 2001

e. Paragraph 3001-5. Identification of the proper authority to order prisoner release from confinement is explained. Notification and coordination instructions are provided for the transfer of Marine Corps prisoners through the Commandant of the Marine Corps (Code POS-40). Procedures are directed for the authorization of emergency leave to prisoners, and coordinating instructions with the Commandant of the Marine Corps (Code POS-40). Procedures and escort requirements are directed for hospitalization of prisoners.

f. Paragraph 4002-3. Escort qualification criteria is established in accordance with the references, changing the age and time in service requirements. Procedures and responsibilities are established for prisoner escorts.

5. Administration and Logistics

a. The Commanding Officer of the Brig will ensure compliance with the regulations and procedures contained in this Order and the references, and is responsible for the operation of the Brig.


b. All Commanding Officers with authority to confine military personnel will be familiar with this Order and ensure strict compliance.

c. Unless otherwise specified, the term "prisoner" refers to both post-trial prisoners and pretrial detainees, regardless of gender.

6. Command and Signal. Reviewed and approved this date.

a. Command. N/A.

b. Signal. This Order is effective the date signed.

  
K. D. DUNN  
Chief of Staff

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Brig

BO P1640.8D  
09 OCT 2001

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Subj: MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

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Publication)

# RECORD OF CHANGES

Log completed change action as indicated:

Change Number	Date of Change	Date Entered	Signature of Person Incorporated Change

# MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

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| 2 | CONFINEMENT PROCEDURES     |
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# MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

## CHAPTER 1

### CONFINEMENT REGULATIONS

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# MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

## CHAPTER 1

### CONFINEMENT REGULATIONS

#### 1001. AUTHORITY

1. The Chief of Naval Personnel and the Commandant of the Marine Corps are designated by the Secretary of the Navy to administer brigs per reference (b), Navy Regulations, Department of Defense Directives, and Title 10 of the United States Code (NOTAL).

2. The Commanding Officer, Marine Corps Brig, Camp Smedley D. Butler, is appointed by and is responsible to the Commanding General, Marine Corps Base, Camp Smedley D. Butler, Okinawa, Japan, for the operation of the Brig per the references.

1002. POLICY. It is the policy of the Commanding General, Marine Corps Base, Camp Smedley D. Butler, Okinawa, Japan, that the treatment of personnel in confinement be uniform and in accordance with reference (a), and that the procedures for confinement and release of prisoners are in accordance with references (a) and (b).

1003. APPLICABILITY. The regulations and procedures set forth in this Order govern the confinement, administration, and release of prisoners at the Marine Corps Brig, Camp Smedley D. Butler, Okinawa, Japan.

1004. PURPOSE OF CONFINEMENT. An individual is sentenced to confinement as punishment and as a deterrent to other individuals. The sentence to confinement expresses the retribution demanded by the society that the individual offended and removes offenders from society for a specified period. The confinement period should be oriented towards the rehabilitation of the prisoner.

#### 1005. DEFINITION AND CONSTRAINTS

1. Definition. Confinement is the physical restraint of a person (Section 809.a of the UCMJ).

a. Pretrial. Confinement may be imposed before trial in accordance with article 1005.2a of this Order.

b. Post-trial. Confinement may be imposed after trial as a result of a court-martial or to confine a probationer prior to vacation of a suspended sentence which includes confinement.

c. Bread and Water/Diminished Rations. Confinement on bread and water/diminished rations may be imposed as punishment upon personnel in pay grade E-3 or below attached to or embarked in a vessel.

2. Constraints. The authority to confine persons as provided for in this Order is modified or constrained by the following parameters:

a. Pretrial Confinement. Pretrial confinement may be imposed before trial when deemed necessary to ensure the presence of the accused for trial, or upon a showing that there exists a danger that, unless pretrial confinement is imposed, the accused is likely to engage in serious misconduct. Refer to RCM 305 of reference (a). This includes intimidation of witnesses or other obstructions of justice, seriously injuring others, or other offenses that pose a serious threat to the safety of the community or to the effectiveness, morale, discipline, readiness, or safety of the command, or the national security of the United States. Such confinement shall be based on probable cause and only when lesser degrees of restraint will not suffice. Normally, when pretrial restraint is deemed necessary, moral rather than physical restraint should be considered before any decision is made to use pretrial confinement.

b. Initial Reviewing Officer Notification. The Commanding Officer of the Brig shall notify the initial review officer and the appropriate legal service support section within 24 hours of pretrial confinement of personnel.

c. Probationers may be confined prior to vacation of a suspended sentence that includes confinement when there is probable cause or reasonable grounds to believe that the service member has committed acts in violation of the conditions of the suspension.

d. Administrative Discharge. A person shall not be placed in confinement based solely on impending administrative discharge proceedings.

## 1006. CATEGORIES OF PRISONERS

### 1. Legal Status Categories

a. Detainees. A detainee is a person subject to the Uniform Code of Military Justice (UCMJ), who has been legally ordered into confinement and who is accused of violating the UCMJ and is awaiting trial or rehearing. This includes those persons who are pending the vacation of a suspended sentence that includes confinement. There is a clear requirement for differentiation in programs, primarily in work areas, for sentenced and unsentenced prisoners. Detained personnel in the brig shall be referred to as detainees. As used in this Order, the word "prisoner" includes detainees unless otherwise specified.

b. Prisoners. A prisoner is a person tried by a court-martial and ordered into confinement whether or not the sentence has been ordered into execution.

### 2. Special Categories

a. Bread and Water or Diminished Rations for Prisoners. These punishments are authorized by Article 15 of the UCMJ, and may be imposed only upon an enlisted person in pay grade E-3 or below who is attached to or embarked in a vessel. Confinement on bread and water, or diminished rations, shall not be imposed for more than 3 consecutive days.



b. Officer Prisoners

(1) Preferably, officers should be placed in arrest in quarters, or another suitable place apart from the brig. A report of all officer confinements shall be submitted immediately to the Commandant of the Marine Corps (Code POS-40).

(2) Officer prisoners will not exercise any command or supervisory authority over brig personnel while confined. They will comply with the rules and regulations of the brig to the same extent as other prisoners, and they will follow orders of all staff members, regardless of rank.

(3) They are not rendered a salute, not addressed by their rank, and do not wear the insignia of their rank.

(4) When they are transferred from one confinement facility to another, the senior escort will be an officer of equal or higher rank. In cases of emergency, qualified escorts of any rank may escort them.

(5) They are escorted by qualified escorts of any rank when involved in the normal movements carried on by the brig, (e.g., sick call, legal matters, work parties, etc.).

c. Female Prisoners. The Marine Corps Brig, Camp Smedley D. Butler, is approved for confinement of female U.S. military service members. Rules and regulations regarding confinement shall apply equally to members of both sexes.

d. Pregnant Prisoners

(1) The care and management of pregnant prisoners confined to the brig shall conform to the requirements of SECNAVINST 1000.10, OPNAVINST 6000.1A (NOTAL), and MCO 5000.12C (NOTAL). Pregnancy does not preclude confinement in the brig as long as appropriate prenatal care can be provided and there is a medical treatment facility near the brig that can provide for labor, delivery, and management of obstetric emergencies.

(2) Options available in dealing with pregnant prisoners include:

(a) If the pregnancy of a prisoner presents special or unique situations, it should be noted that the prisoner may request deferment of the sentence to confinement in accordance with RCM 1101(c) of reference (a).

(b) Clemency may be authorized in accordance with reference (d) and article 74(a), Sections 0158 and 0159 of the Judge Advocate General's (JAG) Manual. Under article 6304 of reference (b), clemency in the form of sentence reduction would normally be recommended by the brig only when it is felt that further confinement would not benefit the prisoner and the Naval Service.

(3) A prisoner considering elective abortion will be permitted to discuss the matter with a medical officer or nurse practitioner and, if desired, with a chaplain or other counselor. Other than offering the services of a counselor, medical officer or a chaplain, brig personnel will not attempt to influence the prisoner's desires regarding abortion.

(4) If a prisoner desires to seek an abortion, she must submit a written request. Except in instances where the life of the prisoner would be endangered if the fetus were to go to term, the abortion must be funded by the prisoner and be arranged through a civilian facility. Brig assistance will be limited to providing or coordinating necessary transportation and security for visits to the facility where the abortion is performed and follow-up care is provided. Following an abortion at a civilian facility, the prisoner will be examined by a military or U.S. Government employed or contracted physician to determine the need for additional treatment and follow-up care.

(5) Arrangements for placement of any child born while the mother is in custody must be made as soon as possible after the pregnancy is known. If possible, arrangements should be made prior to the seventh month of pregnancy. It is the responsibility of the expecting mother to decide what care arrangements will be made for her child. Alternatives include placing the child with relatives, in a foster home, or for adoption. The Brig will assist the mother in making arrangements with the appropriate legal service support office and/or Family Service Center. Infants must be moved to the location of placement directly from the hospital. The granting of leave for a prisoner to take her child for placement may be considered; however, if not granted, the person designated to provide temporary care should come to the hospital to receive the child. All expenses involved in the placement of the child will be borne by the individual and not provided by the government.

e. Civilian Prisoners Subject to the UCMJ. Civilians subject to the UCMJ will not be confined in the Marine Corps Brig, Camp Smedley D. Butler, except under the provisions of U.S. Navy Regulations and by order of the Commanding General, Marine Corps Base, Camp Smedley D. Butler.

f. Confinement Under Status of Forces Agreement. U.S. Military personnel may be confined in the Marine Corps Brig, Camp Smedley D. Butler if being investigated for, or charged with, offenses against Japanese laws and to ensure the presence of the offender at trial. The Confinement Order (NAVPERS 1640/4) shall show in the "Remarks" section: "Confined to ensure presence at Japanese court in accordance with the SOFA between the United States and Japan."

g. Foreign Military Personnel. Confinement of foreign military personnel in the Marine Corps Brig, Camp Smedley D. Butler, will not normally be authorized. Such confinement must be coordinated through the International Law Division, Office of the Judge Advocate General, (DSN 227-9161), and approved by the Commanding General, Marine Corps Base, Camp Smedley D. Butler.

#### 1007. PUBLICITY

1. Information relative to the affairs of the Brig and individual prisoners shall be disseminated in accordance with current regulations governing publicity and only with the permission of the Commanding Officer of the Brig and the approval of the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler.

2. The taking of photographs of the Brig area, its facilities and prisoners, is prohibited except when authorized by the Commanding Officer of the Brig. Photographs for publication shall not show a prisoner's face or otherwise identify the prisoner.

3. Any incident which may result in adverse publicity or serious incidents will be reported to the Marine Corps Base Public Affairs Officer via the Provost Marshal, Marine Corps Base, Camp Smedley D. Butler, Okinawa, Japan immediately.

1008. SECURITY. The Brig area is restricted and shall be so identified. All personnel regardless of grade, military or civilian, entering the brig area, are subject to search as a prerequisite for entry and exit from this area.

MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

CHAPTER 2

CONFINEMENT PROCEDURES

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CHAPTER 2

CONFINEMENT PROCEDURES

2001. CONFINEMENT. Only military personnel of the U.S. Armed Forces who are medically certified as fit for confinement in accordance with regulations and who are accused of or convicted of an offense under the UCMJ, or persons awaiting action of Japanese authorities, may be confined in the Brig. "Safekeeping" and "protective custody" are not legal reasons for confinement, and no individual shall be accepted for confinement with either of these listed in lieu of a UCMJ charge.

2002. AUTHORITY TO ORDER PRETRIAL CONFINEMENT

1. Officers. A commissioned officer or warrant officer may be ordered into confinement only by a commanding officer exercising command authority over him or her. This authority may be delegated (RCM 304(b) of reference (a)).

2. Enlisted Personnel. An enlisted person may be ordered into confinement by an order of any commissioned officer.

2003. CONFINEMENT ORDER

1. A properly completed confinement order (NAVPERS 1640/4 or DD 2707) with details of offense(s) and medical certification of fitness for confinement must accompany the offender to the brig at the time of confinement. Other services may present a DD 497; however, if used, it must be accompanied with a medical certification of fitness for confinement. If the confinement results from a sentence adjudged by a court-martial, the confinement order will be accompanied by a report of trial signed by the summary court-martial officer, or by the trial counsel of the special or general court-martial that imposed the punishment.

2. The following specific confinement order procedures will be followed:

a. An original and one copy of the Confinement Order (NAVPERS 1640/4, DD 2707 or DD 497) are required to confine an individual.

(1) The Brig Receiving/Release NCO will complete the bottom portion of the Confinement Order. The original is retained by the Brig.

(2) A copy is returned to the unit and the signature on the return copy of the Confinement Order is a receipt to the unit for the prisoner.

b. The Confinement Order must be complete and accurate.

c. The Confinement Order will state the individual's full name, social security number, rate/grade, branch of service, organization, and date.

d. It is essential to the Brig that the legal status of each prisoner be known and clearly identified. Terms and definitions regarding prisoner status are defined in Chapter 1 of this Order. The legal status will be prisoner, detainee, or SOFA detainee.

e. The status portion of the confinement order must show the offense(s) of which accused or convicted, such as:

- Article 86: Absent from appointed place of duty, Messhall #444, at: 0515, 1 March 94, 1330; until he surrendered on 2 March 94; and Company formation 0700, 2 July 94.
- Article 86: UA from 0730, 1 March 94 until apprehended 2000, 20 March 94 by military authorities.
- Article 89: Disrespectful toward a 2ndLt by saying to him, "I do not respect you or your rank, so go honk a horn."
- Article 90: Did strike the Company Commander with his fist during office hours.
- Article 92: Violated a lawful order issued by a GySgt to clean his rifle by 1300.
- Article 108: Damaged a military typewriter by throwing it through a window to the pavement below.
- Article 128: Did assault a SSgt by hitting him in the head with a piece of steel pipe.

f. For Article 86 offenses, the Confinement Order will indicate whether the individual "surrendered" or "was apprehended," and by what authority, i.e., FBI, county, city, or military. This information is required for both detained and convicted prisoners. If an earlier edition of the Confinement Order is utilized, this information will be recorded on the reverse side.

g. Administrative legal status may be continued on the back of the confinement order if necessary.

h. The officer directing confinement (the officer who signs the Confinement Order) will ensure that an individual to be confined in a detained status has been informed of the alleged offense(s), and the proper dates and signatures of the accused and witness are placed on the Confinement Order. If the accused refuses to sign, in the place of the signature write "Refused to Sign" and the witness signs in the appropriate place.

i. Confinement Orders for prisoners following trial shall indicate the type of Court-martial, the complete sentence adjudged, and the date of the Court-martial. Results of Court-martial Trial Report, certified by the trial counsel, will accompany the Confinement Order. For a Summary Court-Martial, Record of Trial By Summary Court-Martial (DD 2329) must be provided and signed by the Summary Court-Martial Officer..

(1) In the event a pretrial agreement is applicable, the trial report will indicate the terms and limitations.

(2) If the sentence was deferred, the date deferred and the date the deferment was terminated must be indicated on the Confinement Order. In addition, a copy of the prisoner's request for deferment and the Convening Authority's approval of the request must accompany the Confinement Order at the time of confinement.

j. When an individual is confined in a detained status, the pretrial confinement block shall be properly executed to indicate the necessity for confinement.

k. When an individual is confined as a result of vacation proceedings of a previously suspended sentence, the Confinement Order must list a chronological sequence of events. The following should be indicated on the Confinement Order:

(1) Mark "Vacated Suspension" and the type of court-martial for which convicted.

(2) List in the appropriate space or on reverse of the Confinement Order the Article(s) for which originally convicted.

(3) The entire original sentence awarded by the court-martial, and the date the sentence was awarded/adjudged.

(4) If the sentence was deferred, the date the sentence was deferred and the date the deferment was terminated.

(5) The appropriate date the sentence was approved by the convening or higher authority.

(6) Under "Remarks" or on the reverse side, indicate any period of confinement that was served prior to deferment or prior to suspension of the sentence.

(7) A copy of the vacation proceedings must accompany the Confinement Order at the time of confinement (completed DD Form 455 will suffice).

3. The hour and date confinement is directed must be indicated. Ensure the name, rank and title of the confining authority are included.

#### 2004. MEDICAL EXAMINATION/INITIAL EXAMINATION

1. Initial Examination. Before acceptance of persons for confinement, qualified medical personnel to determine fitness for confinement, to identify any medical problems, and to provide recommendations to the brig regarding appropriate medical care, shall examine them. The member's medical record, when available, shall be provided to the examining medical personnel at the time of the pre-confinement medical examination.

a. Medical officers, nurse practitioners, and physician assistants can perform confinement physical examinations. After regular hours medical screening for brig confinement may be performed by hospital corpsman that have been identified in writing by the Brig medical officer as qualified to perform interim screening. However, the prisoner will be examined by a qualified medical examiner within 24 hours after confinement.

b. A pre-confinement medical examination indicating fitness for confinement must be certified by the medical examiner on the confinement order.

Physical limitations to full duty performance should be so specified in writing by the examiner. The examining official shall note on the original form the presence of cuts, bruises, or unusual marks. Females will be given a pregnancy test and the results noted on the confinement order. Persons ordered into confinement displaying irrational or inappropriate behavior that is symptomatic of mental disturbance or of the effects of hallucinatory substances, shall be referred to a physician who will determine the requirement for hospitalization, prior to confinement. The provisions of NAVMED 6520.1A (NOTAL) will be followed when dealing with prisoners with suspected suicidal ideations or behavior.

2. Re-certification. Re-certification of fitness for confinement is not required except for cause. Any interruption of confinement for periods over 24 hours will necessitate a new physical examination. Examinations may be requested for shorter periods when circumstances indicate. Prisoners transferred between briggs will not require a new medical examination unless unusual circumstances exist. Any prisoner returning from emergency leave regardless of length of leave shall have a re-certification of fitness for confinement at the time of confinement.

3. Refusal To Take Confinement Physical. If a service member refuses to allow authorized medical personnel to perform the initial or re-certification physical examination:

a. The individual shall be directly ordered to undergo the examination.

b. If the order is refused, it is acceptable for medical personnel to make a determination regarding fitness for confinement from medical records, audible information, and what they are able to observe. The individual's refusal and the determination of fitness via observation and records shall be noted on the Confinement Order.

c. If medical personnel cannot make the determination of fitness, the individual will be accepted into confinement and rescheduled for the physical exam when brig staff feels it may be successful.

(1) A notation will be made on the Confinement Order that the individual refused the confinement physical and that a physical will be rescheduled when brig staff anticipates it will be successful.

(2) A notation, similar to paragraph b above, will also be made stating the reason why a determination could not be made.

(3) The prisoner will be retained in Medical Segregation or Administrative Segregation, as appropriate, pending successful completion of the examination and/or any disciplinary action as may be appropriate.

(4) The prisoner will not be allowed into the general population without a completed and proper medical examination, (e.g., not one based on records review and observation only, etc.).

(5) The prisoner will be quarantined in a medical facility if so ordered by the medical officer.



d. The prisoner may be charged under the UCMJ for failing to obey a lawful order by the medical officer.

4. Health and Dental Records. The health and dental records of each prisoner must accompany the individual into confinement. If the permanent health and dental records are not available, it is the unit's responsibility to ensure that a temporary record is prepared which must accompany the prisoner to the Brig. Brig medical personnel will prepare a request for medical/dental records or information (DD Form 877) to obtain permanent records.

## 2005. REPORTS

1. Commanding Officers of prisoners will keep the Commanding Officer of the Brig informed of the current status of each confined member of their command. Change of status reports will be in writing and may be either in letter format or reported on a new Confinement Order. Change of status reports will be required as follows:

a. Immediately following imposition of Article 15, UCMJ Punishment. The unit escort returning the prisoner to the Brig will deliver the report.

b. Immediately Following Trial of a Prisoner. The report will include the entire sentence adjudged by the court, to include any pretrial agreement when applicable. This report will include only those offenses for which the prisoner was convicted and sentenced. The unit escort returning the prisoner to the Brig will deliver the report. The results of trial are acceptable as a change of status report. The prisoner will not be accepted for re-confinement without a change of status report.

2. Court-martial orders promulgated at the convening and supervisory authority levels must be reported to the Brig administrative office. These actions may reduce, suspend or remit confinement, and may reduce in severity, suspend or remit punitive discharges.

a. Occasionally, a suspension of confinement that is not immediately reported causes a prisoner to remain in confinement past the required date of release. This constitutes illegal confinement and will be reported as such to the Commanding General, Marine Corps Base, Camp Smedley D. Butler.

b. Court-martial Progress Reports are submitted to the Naval Clemency and Parole Board only on individuals with an un-suspended punitive discharge. An administrative burden is created when a report is prepared and forwarded by the Brig staff, when in fact the convening authority has already suspended the punitive discharge.

c. Pretrial agreements that suspend or remit confinement and/or punitive discharges shall be reported to the Brig staff immediately following trial.

d. Court-martial orders and pretrial agreements shall be certified true copies.

e. Results of Trial reports shall be originals or certified true copies.

3. Daily Prisoner Status Report. This report is completed on a daily basis and submitted to the Commanding Officer of the Brig. Only the names of prisoners received or released on the day of the report are to be recorded.

4. Weekly Prisoner Status Report. The Commanding Officer of the Brig shall publish a Weekly Prisoner Status Report. This report will indicate prisoner status as of 0800 each Monday. Grouping of names shall be in terms of the confinement status. The primary purpose of this report is to aid in monitoring and reducing delays in the disciplinary process. Copies of this report shall be provided to the commanding officer of the prisoner's parent command, the legal office, and all officers having interest in or responsibility for the processing of courts-martial and operation of the Brig.

2006. VICTIM/WITNESS REPORTING. In accordance with reference (g), close coordination must be maintained between Victim Witness Assistance Program representatives from NCIS, LSSS or law center, military police, commanding officers, medical facilities, Family Service Centers, corrections facilities, and chaplains.

1. Trial Counsel. Upon order to confinement of an offender identified by those under the Victim Witness Assistance Program, the trial counsel will insure that the DD Form 2704 is completed and forwarded to the Brig. This form should arrive in a timely manner; however, at no time will the offender be allowed access to this form.

2. Brig Victim Witness Assistance Coordinator (VWAC). Upon entry of an offender into post-trial confinement, the Brig VWAC will obtain the DD Form 2704 to determine victim or witness notification requirements. The VWAC will continue to monitor the program and adhere to the requirements of reference (g).

2007. LOGISTICAL SUPPORT BY CONFINING COMMAND

1. Clothing Requirements for Prisoners. The utility uniform shall accompany the prisoner to the brig at the time of confinement. The prisoner's Commanding Officer will be responsible for delivery of items that are available in the unit area, or in government or private quarters in the local area prior to confinement. The service "C" uniform will not be stored at the Brig. The prisoner's command is responsible for a clean, pressed uniform for appearance at Courts-Martial or hearings in the Japanese community.

a. All prisoners confined at the Brig will be issued (3) sets of prisoner uniforms to be worn in accordance with current directives upon confinement. Post trial prisoners will wear orange uniforms, and pretrial detainees will wear a blue uniform.

(1) The following is a list of required clothing items. All items will adhere to respective service standard issue.

2	Boots, pair, leather, non-steel toe
6	Drawers, white cotton
6	Undershirts
6	Socks, Black
6	Socks, White
3	Towels, White
3	Face cloths, White
1	PT shorts
1	Shoes, running
2	Sweat suits, Service standard
3	Boot Blouses (Non-metal, pair)

2. Health and Comfort Items. Personnel confined at the Brig will be accompanied by the below health and comfort items. In addition, an identification card, wedding band/ring, religious medallion, and education courses (MCI, USAFI, etc.) will be accepted. All other items will be returned to the prisoner escort, acknowledged by the prisoner, and receipt for by the prisoner escort.

a. Health and comfort list for all Brig Prisoners:

1	Laundry bag (Without string)
50	Envelopes and stamps (prefer stamped envelopes)
3	Writing tablet or legal pads
5	Ball point pen/non-retractable (non-government)
2	Can shoe polish, black with brush and dauber
1	Shower shoes, pair
1	Toothbrush with case
1	Tube toothpaste
1	Shaving cream, can (non-gel type)
10	Razors (disposable)
4	Soap, bars, with case
1	Nail clipper (not to exceed 3 inches in length)
1	Comb (not to exceed 5 inches in length)
1	Hairbrush (No handle)
1	Deodorant stick
2	Handkerchiefs

\* All lotions, tonics, pastes, etc. must be in plastic/ transparent containers.

b. Additional items required for female prisoners:

5	Bras, non-wire supported
1	Shower cap
1	Emery board, cardboard
*	All needed sanitary items

2008. INITIAL REVIEW OFFICER (IRO)

1. Each major command (III MEF, MCB, 3d MarDiv, 3d FSSG, 1stMAW) is responsible for coordinating and conducting IRO hearings upon their respective pretrial detainees in accordance with reference (a), and must provide documentation of such hearings to the Brig. Army, Navy, and Air Force commands will follow similar IRO procedures as outlined below.
2. The IRO hearings should be conducted at the Brig. When conducted at the brig, an IRO Clerk, administrative support, and office space will be provided. All correspondence designated for the IRO will be delivered to the Brig Prisoner Administrative Office, where it will be stamped with the date and time of receipt.
3. Hearing Procedures. Reference (a) requires submission of written reports to the IRO. Within 48 hours, after a service member is ordered into pretrial confinement, the officer ordering such confinement shall provide a report to the IRO in the format prescribed in reference (i) containing sufficient information to permit a review of the factual basis of the pretrial confinement decision. This report shall be delivered to the brig where it will be held for the IRO. It is desirable that the report be submitted at the same time the individual is confined. Upon receipt of such reports, the Commanding Officer of the Brig shall immediately notify the IRO of receipt of the report. Within seven days of the beginning of pretrial confinement, the IRO shall hold an informal hearing. The IRO clerk shall notify all parties concerned of the time and place of the hearing, and give them an opportunity to be present.
4. IRO Powers. In the exercise of the neutral and detached judgment required by their office, an IRO is not subject to the direction or control of the officer who appointed him/her. Accordingly, the IRO has the power to initiate and control the proceeding of pretrial confinement review hearings as set forth in reference (i). The decision of the IRO in each case is final, subject to any subsequent judicial determination.

2009. COMMAND VISITS

1. Required. Although each prisoner is involved in the program established within the brig, there is a need to provide continuing contact, during confinement, between the prisoner and a representative from the parent command.
2. Purpose. Prisoners who will return to their parent command continue to be the responsibility of that command. Command visits are designed to retain identity with the parent command and to reinforce to prisoners that this remains their primary chain of command.

3. Procedures. Commanding officers shall establish procedures for visiting at least weekly each prisoner from the parent command. This visit should be made by a representative of the parent command, (E-6 or higher) from the prisoner's division with the authority to act in the commanding officer's behalf. When the offender's command is on extended deployment, the Immediate Superior In Command should provide command visits. It is improper to delegate command visit functions unless the confining command is at sea, or is a remotely situated activity. Chaplains will not serve as the commanding officer's representative to visit prisoners. The chaplain's role in the rehabilitative process, including the visiting of prisoners, has a value distinct from that of being command representative. Documentation of each command visit shall be made a part of the prisoner's permanent record.

4. Scheduling. The Commanding Officer of the Brig shall establish the schedule for command visitation. Request to conduct command visits outside of scheduled times, should be prior coordinated with the Brig.

2010. CIVILIAN LEGAL VISITS. All visits by civilian attorneys or civilian investigative agencies must be approved through the appropriate office of the Staff Judge Advocate (SJA).

2011. FORMS. All DD forms listed in this order are available on the Marine Corps Brig link at the MCB, Camp S. D. Butler website.

MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

CHAPTER 3

RELEASE PROCEDURES

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# MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

## CHAPTER 3

### RELEASE PROCEDURES

#### 3001. RELEASE FROM CONFINEMENT

1. Authority. Any commander of a prisoner, an officer appointed under regulations of the Secretary concerned to conduct the review under RCM 305 of reference (a), or, once charges have been referred, a military judge detailed to the court-martial to which charges against the accused have been referred, may direct release from pretrial confinement. For purposes of the subsection, "any commander" includes the immediate or higher commander of the prisoner and the Commanding General, Marine Corps Base, Camp Smedley D. Butler. In addition, the Commanding Officer of the Brig or his/her designee (written) shall authorize final release of the prisoner under the following conditions:

a. Upon expiration of the term of confinement, adjusted to reflect clemency or other action, and further reduced by good conduct time earned.

b. Upon direction of proper appellate authority.

2. Release Order. A prisoner Release Order (DD 367 or DD 2718) shall be prepared by the Brig to effect every final release from confinement. The Commanding Officer of the Brig will effect permanent release of a prisoner upon:

a. Expiration of the sentenced term to confinement.

b. Receipt of one of the following legal documents from the convening or reviewing authority directing:

(1) Disapproval of sentence to confinement.

(2) Suspension or remission of remaining confinement.

(3) Deferment of confinement (only prior to CA's action).

(4) Rehearing on findings or sentence.

c. Receipt of a valid "Request for Release" in the case of a detainee either from the Initial Review Officer, the Detainee's Commanding Officer, or once charges have been referred, a military judge detailed to the court-martial to which the charges against the detainee have been referred may direct release from pretrial confinement.

d. Upon notification that a detainee's request for an administrative discharge has been approved and he or she is no longer pending a court-martial.

#### 3. Release Dates

a. The release date is the date confinement is completed. It is determined by reducing the full term of all sentences to confinement by proper credits and adjustments as prescribed by reference (b). Prisoners, except those serving the punishment of Bread and Water, shall be released during normal working hours. Unit commanders will ensure prisoners are picked up from the brig on scheduled release dates prior to 1630.

b. To facilitate administration, a prisoner whose release date falls on a Saturday, Sunday, or a national holiday shall have all necessary administrative procedures completed the last working day immediately preceding such days; however, the release will be effected on the actual date of completion of confinement. When a prisoner is to be released on a weekend or a holiday, the prisoner's command will be notified during the week prior to the prisoner's scheduled release date.

c. No person shall be held in confinement beyond the normal release date, as defined above, to complete administrative disciplinary punishments, to await transportation, to complete a forfeiture of pay, or because of indebtedness to the government. Conditions placed in pretrial agreements shall be as specified in reference (b).

### 3002. CLEMENCY

1. Clemency is supplementary action taken by either the Convening Authority or the appropriate service clemency and parole board to reduce the severity of a court-martial sentence. Clemency may consist of mitigating, remitting, or suspending the sentence in whole or in part.
2. The UCMJ gives the Armed Services broad authority to punish their own members for various offenses, and it also gives the authority to reduce such punishment. The authority to make reductions, which collectively is known as clemency, extends from minor punishments imposed under the UCMJ, Article 15, up to the most severe punishment. Clemency may be exercised during legal review, after legal review is final, or at any time prior to completion of the sentence.
3. It is the policy of the Commandant of the Marine Corps to extend to persons convicted by court-martial whatever clemency is in the best interest of the Marine Corps and the individual. Procedures are established at the Brig to ensure a timely review of the status of each person in confinement, considering each for such clemency as is appropriate, including release from confinement.
4. Per reference (c), the Brig will take required action to conduct clemency hearings and make recommendations to the appropriate service clemency and parole board for all eligible prisoners.

### 3003. TEMPORARY ABSENCE

1. Request for temporary absence (TA) should be arranged at least 24 hours prior to the scheduled TA by a telephone call to the Brig Administration Section. The DD Form 629 or DD 2708 (Receipt for a Prisoner or Detained Person) will be completed and issued by the Receiving and Release Supervisor when picking up the prisoner for a TA. The remarks section will indicate the complete reason for the TA.
2. Valid reasons for TA include the following:
  - a. Appearance at court-martial, Article 32 UCMJ hearing, Article 72 UCMJ hearing and office hours.
  - b. Request Mast.



- c. Consult with legal counsel.
- d. Investigations.
- e. Procurement of Uniform of the Day for trial.
- f. Medical or dental appointments.

g. Other circumstances deemed appropriate by the prisoner's commanding officer and approved by the Commanding Officer of the Brig.

3. To ease administrative procedures, limit temporary absences to normal working hours. The time of return of the prisoner to the brig should not extend past 1600. If, however, it is necessary to detain the prisoner outside the brig past that time, the prisoner's escort shall call the brig's control center (623-4940) no later than 1545 and request an extension, citing the reason(s) for delay. All overnight temporary absences must be prior coordinated and approved by the Commanding Officer of the Brig.

4. Prisoners shall not be placed on temporary absence to perform investigative services for a military or federal law enforcement agency unless authorized by second echelon commander.

#### 3004. EMERGENCY LEAVE ABSENCE

1. Convening authorities may grant emergency leave to prisoners, per reference (b), MILPERSMAN, and MCO P1050.3H (Regulations for Leave, Liberty and Administrative Absence). Per reference (e), convening authorities will coordinate all leave procedures, and as soon as possible provide by message required information to CMC (POS-40).

2. Convening authorities may request a recommendation from the Commanding Officer of the Brig in regards to prisoners being considered for emergency leave. The Commanding Officer of the Brig's recommendation will take into consideration the prisoners confining offenses, length of sentence, release date, past offenses, any pending civil charges, conduct and performance since confined, and any other factors deemed appropriate.

3. Travel and incidental costs of prisoner's travel shall be at no expense to the government. Prisoners on emergency leave may be authorized to travel without escort; however, if required, the escort's travel expenses and other necessary incidentals must be borne by the government. The Commandant of the Marine Corps will provide escorts for Marine Corps prisoners going on emergency leave. Request for escorts should be made to CMC (POS-40), per reference (e).

4. Prisoners on emergency leave shall wear the appropriate service uniform, or for those prisoners whose discharges have been executed, appropriate civilian attire shall be worn.

5. Periods of emergency leave shall be considered as time served in confinement, and the leave will be charged against the prisoner's leave balance, if any, for the period of absence.

6. When a prisoner returns from emergency leave, the medical certification portion of the confinement order shall be prepared and presented at the time of reconciliation.

7. The Commanding Officer of the Brig will ensure the prisoner is carefully briefed on the conduct expected of him while on emergency leave.

#### 3005. HOSPITALIZATION

1. Procedures. In those cases involving emergencies, specialized treatment or evaluation, or psychiatric treatment which cannot be deferred and require hospitalization, the following procedures shall apply:

a. Receipt of prisoners (DD 629 or DD 2708) shall be used. The DD 629 shall indicate the prisoner's custody grade, offense, expected normal release date, and whether the prisoner is considered a threat to himself/herself or to others. The Brig shall provide any additional information that will assist the hospital in the treatment and supervision of the prisoner. A copy of the DD 629 or DD 2708 shall be provided to the hospital. In case of emergencies, a Brig staff member shall remain with the prisoner until the DD 629 or DD2708 is prepared.

b. Prisoners undergoing psychiatric treatment shall remain in the hospital until well enough to return to the Brig environment. The Brig medical officer will be consulted and a medical care plan established prior to the prisoner's return.

c. Medium-in, Medium-out, minimum, or installation custody prisoners in need of hospitalization shall be supervised on a 24 hour basis by a minimum of 2 certified prisoner escorts from the prisoner's parent command.

d. Maximum custody prisoners will be supervised on a 24 hour basis by a minimum of 2 Brig staff members.

e. The prisoner's health and comfort items will accompany the prisoner to the hospital. If a prolonged stay is necessary, the prisoner's personal effects and valuables will be inventoried per current directives and placed in the Brig personal effects locker.

f. As soon as prisoners no longer require hospitalization, they shall be returned to the brig for completion of confinement. Prisoners shall not be placed in medical holding companies or on convalescent leave. Prisoners who remain hospitalized upon completion of confinement, shall be transferred "Temporary Duty (TEM DU) for Treatment" to the hospital on the scheduled release date.

2. Status. Hospitalization counts day-for-day as time in confinement.

3006. TRANSFER OF PRISONERS. The following transfer procedures apply directly to Marine Corps prisoners; however, other service prisoners will adhere to the same maximum limitations for confinement at the Marine Corps Brig, Marine Corps Base, Camp Smedley D. Butler, as outlined below.

1. The Marine Corps Brig, Marine Corps Base, Camp Smedley D. Butler, is designated for confinement of prisoners who have sentences of one year or less remaining to serve to their minimum release date upon Convening Authority (CA) action. Normally all Marine Corps prisoners, regardless of the sentence adjudged, would remain at this brig until CA's action is completed, or the prisoner's sentence expires. Requests for exception can be made to the Commandant of Marine Corps (Code POS-40).

2. In order to ensure the most effective utilization of the Marine Corps confinement spaces, the Commandant of the Marine Corps (Code POS-40) will approve all Marine prisoner transfers. Request for transfer will be made by message to the CMC (POS-40) by the prisoner's direct command. The Brig will receive an information copy. Upon request for transfer, CMC (POS-40) will designate an appropriate confinement facility.

3. The Commanding Officer of the Brig will identify prisoners who meet the transfer criteria established by CMC (POS-40). Names of the prisoners meeting the criteria will be submitted to the Commanding Officer and Staff Judge Advocate of the appropriate prisoner's command for approval to transfer.

MARINE CORPS BASE CONFINEMENT AND RELEASE PROCEDURES

CHAPTER 4

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CHAPTER 4

PRISONER ESCORT PROCEDURES

4001. REQUIREMENTS

1. New Confinements. Although not required, it is recommended that those personnel being transported for initial confinement in the Brig be escorted by trained and certified prisoner escorts.

2. Permanent Release. Certified prisoner escorts are not required for prisoners being permanently released from the Brig. Prisoners who are released from confinement will be picked up by any representative of their respective parent organization during normal working hours (0730-1630) on the day of release.

3. Temporary Absence. Prisoners released on a Temporary Absence (TA) require escort by personnel who have received specialized training conducted by the Brig Training Supervisor in escort duties. The ratio of escorts to prisoner is as follows:

a. MAXIMUM, or MEDIUM-IN custody prisoners, will require two certified escorts per prisoner.

b. MEDIUM-OUT, MINIMUM, and INSTALLATION CUSTODY, will require one certified escort per prisoner.

4. Work Programs. Units desiring prisoner working parties will submit a request to the Brig Supervisor. Prisoner work projects must be worthwhile and constructive. Suitable work for prisoners includes maintenance and repair of the facility, salvage, conservation of government property, services provided for nearby government organizations, and manufacturing of articles for government use. Maximum and Medium-In custody prisoners will not be assigned to outside work details. Escort to prisoner ratios for each prisoner work detail will be determined by the Commanding Officer of the Brig. However, the normal escort to prisoner ratio for working parties is as follows:

a. Medium-Out custody prisoners will require one escort for one to five prisoners, and two escorts for six to ten prisoners.

b. Minimum and Installation Custody prisoners will require one escort for one to ten prisoners.

c. If the working party contains a mixture of various custody prisoners, the Medium-Out escort to prisoner ratio will apply.

d. At no time will a work detail exceed ten prisoners without assignment of a Brig staff member to the escort detail.

4002. ESCORT QUALIFICATIONS. Escorts have specific responsibilities for the secure custody and safe delivery of prisoners. Escorts shall be carefully selected for maturity and ability to handle emergencies. All personnel assigned to escort duties shall be thoroughly trained in the safety and proper use of restraining devices in the performance of escort functions.

1. For information concerning the scheduling of Escort Training School, contact the Brig Training Supervisor at 623-4940. Upon completion of training, a prisoner Escort Identification Card (NAVPERS 1640/18) shall be issued.
2. Because of the varying local requirements of prisoner escort duties, only those personnel trained and certified by the Marine Corps Brig, Marine Corps Base, Camp Smedley D. Butler will be allowed to escort prisoners.
3. Escorts must meet the following criteria before being considered for escort school:
  - a. Be mature and emotionally stable. Personnel with a history of drug or alcohol abuse, or a neuropsychiatric disorder, will not be assigned this duty.
  - b. Have received no prior courts-martial, or NJP's during current enlistment.
  - c. Pending no legal action, and be of good standing with the unit assigned.
  - d. Not be a prior prisoner who was confined at the Brig.
  - e. Escorts must be of the same sex as the prisoner; however, if two escorts are required, only one escort must be of the same sex.
  - f. Must be 19 years of age.
  - g. Must be at least six months from recruit training completion date.
  - h. A commissioned officer will not act as an escort without prior approval of the Commanding Officer of the Brig unless serving as an escort for an officer prisoner.

4003. ESCORT RESPONSIBILITIES

1. The primary duty of a prisoner escort is to provide continual custody and control of assigned prisoners. The escort will:
  - a. Take custody of all prisoners received and ensure all required precautions are taken to prevent escapes.
  - b. Not relinquish control of his detail to another person for any reason without proper authorization from the Duty Brig Supervisor.
  - c. Ensure that prisoners in their charge conduct themselves in a manner consistent with the standards of conduct for prisoners.

- d. Comply with all orders and instructions issued during escort training and upon receipt of custody for the prisoner.
- e. Contact the Duty Brig Supervisor for guidance in all situations not previously covered.

2. Prisoner escorts should normally have in their possession:

- a. Duty belt
- b. Notebook and pencil or pen
- c. Escort "Certification Card" and Armed Forces Identification Card
- d. Contact telephone numbers at the Brig, and PMO/Security Police Headquarters of camps and stations prisoner will be escorted aboard.

4004. ESCORT INSTRUCTIONS

1. Pickup and Transportation of Prisoners

a. Escorts arriving at the Brig to receive prisoners for a TA must have their Military I.D. Card, Duty Belts, and their Prisoner Escort Card. It is also advisable to have a small notebook to record special instructions and incidents.

b. No prisoner may be transported in a privately owned vehicle. All transportation of prisoners on TA or working parties must be in a GOVERNMENT VEHICLE ONLY.

c. The driver of the vehicle CANNOT serve as a prisoner escort except on a permanent release.

d. The prisoner should always be seated in the vehicle in such a manner as to insure proper safety, security, and constant observation by the escort. Seat belts will be used if available and at least one escort will position himself or herself between the prisoner and the point of exit for the vehicle.

2. Use of Restraining Devices

a. According to prisoner custody, use of restraining devices will apply as follows:

(1) MAXIMUM CUSTODY prisoners will be restrained with handcuffs, restraining belt, and leg irons.

(2) MEDIUM-IN will be restrained with handcuffs and restraining belt. Leg irons will be carried by prisoner escort for possible use if warranted.

(3) MEDIUM-OUT, MINIMUM, AND INSTALLATION CUSTODY prisoners will not normally require restraints unless directed by the Commanding Officer of the Brig.

b. In the event an extreme situation arises after the prisoner leaves the Brig, and restraining devices are deemed necessary, restraints may be applied followed by an immediate notification to the Brig at 623-4693/4940 for further guidance and instructions.

c. When restraining devices are used, the following guidelines will be observed:

(1) Leg irons or handcuffs WILL NOT be removed without approval from the Duty Brig Supervisor by calling 623-4693/4940. Consideration for approval will be given on a case-by-case basis. In each situation, the escort must notify Master Control. Other requests may be authorized with prior approval of Commanding Officer of the Brig, or the Brig Supervisor.

(2) Restraints will be removed prior to entering the courtroom and after notification to the Brig.

d. Armed escorts are not authorized unless expressly approved by the Brig Commanding Officer for extreme situations. When armed escorts are authorized, restraints will always be used.

### 3. Return of Prisoners to the Brig

a. If a prisoner is to be kept on temporary absence beyond 1100, it is the responsibility of the escort to ensure that the prisoner is provided a noon meal or box lunch prepared by a military dining facility.

b. ALL PRISONERS must be physically present at the brig NO LATER THAN 1600.

(1) In the event that unusual circumstances require a prisoner to be kept outside the Brig beyond 1600, an officer at the retaining organization/section must request approval by contacting the Duty Brig Supervisor, Brig Supervisor, or the Commanding Officer of the Brig to notify the circumstances and establish an estimated time of return. Contact phone number is 623-4693.

(2) When approval for retention beyond 1600 is granted, it is the escort's responsibility to ensure that the prisoner is provided an evening meal prepared by a military dining facility.

c. When a prisoner is returned to the Brig, the escort should be prepared to complete a WORK/TRAINING REPORT (NAVPERS 1640/10) and/or DISCIPLINARY REPORT (1640/9) when these forms are considered appropriate.

4. Supervision of Prisoners. The senior escort is responsible for the prisoner at all times outside the Brig. No one will assume authority of the prisoner while in custody of the escort. The prisoner will not be out of the escort's sight for any reason other than legal visits to consult with the prisoner's lawyer.

a. Legal Visits. The escort must inform the lawyer of the prisoner's status and custody classification prior to allowing the prisoner to enter the office or space. The escort will post himself at the exit and the junior escort at any additional exit.



(1) The lawyer shall keep the escort informed as to who is entering and exiting the office, and no one will be allowed into the lawyer's office unless directly connected to the prisoner's case. Females entering the office (wife, girlfriend, fiancée) will not have a purse inside of the office while the prisoner is there.

(2) The lawyer will not leave the prisoner in the office unattended. If the lawyer must leave his office, the door will be kept open so that the escort can observe the prisoner.

b. When prisoners are moved from one area to another, regardless of the number, they will be marched in a military formation at the position of attention. The escorts will be positioned so that prisoners in formation are constantly observed.

c. When prisoners are engaged in a work detail, or not in formation, the escort must always keep them in front of him and in his field of vision. The escort must always remain sufficiently close to the prisoners to permit immediate and effective control.

d. The escort will never under any circumstances use abusive, profane, assaulting, or indecent language toward a prisoner, either directly or indirectly. The prisoner will normally respond in a manner reflecting the treatment he receives.

e. The brig is a tobacco free facility. Escorts will not use tobacco products while supervising prisoners.

f. It is the escort's responsibility to ensure that the prisoner does not violate the PRISONER RULES AND REGULATIONS. Escorts shall strictly enforce the rules listed below.

(1) DO NOT ALLOW prisoners to enter an exchange, snack bar, or a special services activity (unless it is the assigned location of the work detail).

(2) DO NOT ALLOW prisoners to eat or drink items obtained from a snack bar, vending machine, or vending truck.

(3) DO NOT ALLOW prisoners to receive or place phone calls.

(4) DO NOT ALLOW prisoners to mail any letters or packages. If any mail is delivered to a prisoner by the parent organization, the mail will be brought to the Brig UNOPENED and delivered to the receiving and release NCO for processing.

(5) DO NOT ALLOW prisoners to receive or dispose of any substance that could possibly be marijuana, drugs, alcohol, and items directly related to their use.

(6) DO NOT ALLOW prisoners to receive any items considered contraband or which might prove hazardous to others.

(7) Prisoners will not use tobacco products.

(8) Do not allow prisoners to interact socially outside the Brig.

g. Items a prisoner may have in his possession are:

- (1) Papers and records pertaining to the reason for a TA.
- (2) Pocket Comb.
- (3) Religious medal (one) on a chain around the neck and kept inside the undershirt.
- (4) Wedding band if married.
- (5) Handkerchief.

#### 5. Use of Force

a. Escorts will not lay hands upon prisoners except in the following cases.

- (1) In defense of themselves.
- (2) To prevent escapes.
- (3) To prevent serious injury to persons or damage to property.
- (4) To quell a disturbance.
- (5) To search a prisoner.

b. In the above cases, only the amount of force necessary to bring the situation under control will be exercised. In these situations, experience demonstrates that a show of force may prevent an unwanted incident. When escorting a troublesome prisoner, a prisoner may be tempted to resist one escort, but will go peaceably if escorted by two or three since resistance would obviously be useless.

c. The use of force will be the last resort. .

d. Escorts will immediately telephone and REPORT THE USE OF FORCE SITUATION TO THE BRIG SUPERVISOR 623-4940/4693.

#### 6. Escapes and Attempted Escapes from Escorts

##### a. Procedures when Escorting Only One Prisoner

(1) Make every effort to prevent the prisoner from escaping by being alert and following established procedures.

(2) If the prisoner actually attempts to escape or escapes by fleeing, make every effort to overtake and restrain him. REPORT THE ATTEMPT TO MASTER CONTROL 623-4940/4693, who will contact the Provost Marshal's Office. The following information must be provided:

- (a) Prisoner's name.
- (b) Location of escape.

(c) Direction prisoner was fleeing.

(d) Other pertinent information (was he armed; was he injured; did he have an accomplice; was he fleeing on foot or in a vehicle; etc.).

b. Procedures When Escorting More than One Prisoner. Escorts are responsible for all prisoners in their care. DO NOT leave several prisoners unescorted while chasing an escapee. Move the remaining prisoners to the nearest location where there is a phone. REPORT THE ESCAPE TO MASTER CONTROL 623-4940/4693, Master Control will the contact Provost Marshal's Office.

c. Escorts should attempt to enlist the aid of nearby personnel by identifying himself and his situation.